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***USAREUR Regulation 200-1**

Environmental Quality

USAREUR Environmental Quality Program

For the Commander in Chief:

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Chief of Staff

Official:

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Summary. This regulation establishes USAREUR policy and procedures for protecting the environment.

Applicability. This regulation applies to HQ USAREUR/7A staff elements; USAREUR major, separate major, and assigned units (USAREUR Reg 10-5); area support groups (ASGs); other forces operating under USAREUR control, and tenant activities and USAREUR-controlled property and installations.

Supplementation. Commanders will not supplement this regulation without Commander in Chief, USAREUR (AEAEN-ENVR), approval.

Interim Changes. Interim changes to this regulation are not official unless authenticated by the Deputy Chief of Staff, Information Management, USAREUR. Interim changes will be destroyed on their expiration dates unless sooner superseded or rescinded.

Suggested Improvements. The proponent of this regulation is the Office of the Deputy Chief of Staff, Engineer, HQ USAREUR/7A (AEAEN-ENVR, 370-7699/8125). Users may send suggestions to improve this regulation on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to the Commander in Chief, USAREUR, ATTN: AEAEN-ENVR, Unit 29351, APO AE 09014.

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***This regulation supersedes USAREUR Regulation 200-1, 31 January 1983.**

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CHAPTER 1
INTRODUCTION AND RESPONSIBILITIES

SECTION I
ENVIRONMENTAL OVERVIEW

1-1. PURPOSE
This regulation—

a. Prescribes USAREUR policy, responsibilities, and procedures to preserve, protect, enhance, and restore the quality of the environment.

b. Incorporates applicable legal and regulatory requirements in the following areas:

(1) Air pollution abatement.

(2) Asbestos management.

(3) Environmental actions that apply to installations being returned to host nations (HNs).

(4) Environmental impact analyses.

(5) Environmental restoration.

(6) Hazardous material (HM) management and hazard communication standards.

(7) Noise management.

(8) Petroleum, oils, and lubricants (POL) and hazardous substance spill contingency planning, control, and emergency response.

(9) Radon reduction.

(10) Solid and hazardous waste management (SHWM).

(11) Water resources management.

(12) Other environmental programs.

c. Provides HQDA and HQ USAREUR/7A goals to protect and enhance the environment. AR 200-1, paragraphs 1-38 and 1-39, prescribes environmental quality goals and environmental protection and enhancement policy. DA policy memorandum dated 16 April 1991 prescribes that all class I projects and hazardous waste disposal must be funded, and these environmental resources must not migrate to other programs.

1-2. REFERENCES
Appendix A lists German laws, regulations, and agreements that contain standards applicable to this regulation. Appendix B lists required and related publications and references.

1-3. ABBREVIATIONS AND TERMS
The glossary explains abbreviations and special terms used in this regulation.

SECTION II
RESPONSIBILITIES

1-4. PRINCIPAL HQ USAREUR/7A STAFF OFFICERS
Principal HQ USAREUR/7A staff officers will—

a. Be aware of and follow the policy, procedures, and requirements in this regulation and AR 200-1, paragraph 1-24.

b. Integrate environmental considerations into assigned staff management functions and activities to—

(1) Ensure they comply with applicable U.S. and HN pollution abatement and environmental protection requirements (chap 2).

(2) Support the Army leadership in the international effort to protect and improve the environment.

(3) Understand the effect of applicable U.S. and HN regulations and Army policy on operations. Staff officers must evaluate the potential environmental effects of proposed policy, procedures, and actions. When actions may have adverse environmental effects, staff officers will develop and implement measures to reduce or eliminate the adverse effects.

(4) Implement requirements of this regulation.

(5) Designate a point of contact (POC) to coordinate with the Deputy Chief of Staff, Engineer (AEAEN-ENVR).

(6) Amend USAREUR publications when needed to achieve the objectives of this regulation.

(7) Cooperate with HN authorities to achieve an active environmental program, prevent environmental pollution, and collectively solve environmental problems.

c. Send environmental program issues or inquiries from HN officials to the appropriate U.S. forces liaison office (USFLO) or to the American embassy in the respective HN. (For Germany, the designated liaison officer is the Commander in Chief, USAREUR, Liaison Officer, U.S. Embassy, Bonn).

1-5. DEPUTY CHIEF OF STAFF, PERSONNEL, USAREUR

In addition to responsibilities in paragraph 1-4, the Deputy Chief of Staff, Personnel (DCSPER), USAREUR, will—

a. Provide USAREUR safety and occupational health policy and procedures and monitor compliance with worksite requirements according to AR 385-10 and the following Occupational Safety and Health Acts (OSHAs):

(1) Part 1910, title 29, Code of Federal Regulations (29 CFR 1910).

(2) 29 CFR 1917.

(3) 29 CFR 1926.

b. Exercise primary USAREUR staff responsibility for direction of command safety and occupational health programs and coordination safety aspects of the environmental program.

c. In coordination with the Chief Surgeon (CSURG), USAREUR—

(1) Provide assistance and technical guidance for safe storage, use, discharge, and ultimate disposal of HMs.

(2) Provide safety and occupational health (SOH) training, guidance, and technical assistance for engineering controls, work practices, and personal protective equipment. The CSURG will monitor SOH aspects of cleanup operations (incl asbestos management).

(3) Establish requirements for SOH aspects of environmental training to support DCSENGR environmental training programs.

d. Develop, coordinate, and monitor Hazard Communication (HAZCOM) Program policy and procedures to provide information and training to personnel on worksites where hazardous and toxic materials and substances are generated, handled, stored, treated, or disposed.

1-6. DEPUTY CHIEF OF STAFF, OPERATIONS, USAREUR

In addition to responsibilities in paragraph 1-4, the Deputy Chief of Staff, Operations (DCSOPS), USAREUR, will—

a. Integrate environmental considerations into planning and decisionmaking processes to ensure they meet applicable environmental protection requirements.

b. Take actions to prevent or minimize environmental damages from USAREUR operations.

c. Incorporate and emphasize environmental requirements in personnel training programs.

d. Ensure training exercises and maneuvers are planned to incorporate environmental considerations and requirements (incl proper SHWM, resource recovery, source separation and reduction, and recycling).

e. For the Environmental Noise Management Program (chap 7)—

(1) Ensure that the effects of noise are considered in the planning process for training and stationing actions.

(2) Coordinate with the DCSENGR to develop guidance that will help area support group (ASG) commanders implement noise management programs in training and operations.

1-7. DEPUTY CHIEF OF STAFF, LOGISTICS, USAREUR

In addition to responsibilities in paragraph 1-4, the Deputy Chief of Staff, Logistics (DCSLOG), USAREUR, will—

a. For the Hazardous Materials Management Program (chap 5)—

(1) Develop and implement supply policy and procedures according to AR 200-1, paragraph 1-13.

(2) Coordinate with the Deputy Chief of Staff for Logistics, HQDA, for product substitution of HMs.

(3) Develop policy and procedures for HQ USAREUR/7A elements and USAREUR logistics commands to minimize environmental pollution from USAREUR storage, maintenance, and transportation operations.

(4) Implement a system that will allow ASG hazardous waste management boards (HWMBs) to monitor the use of HMs received from the wholesale supply system. ASG HWMBs will use this system to measure progress in reducing the use and volume of HMs.

(5) Promote DA programs for reusing, recycling, and reclaiming excess and outdated chemicals.

(6) Support training for logistics personnel on storing, using, and transporting HMs and wastes according to U.S. and HN standards.

b. For the Solid Waste and Hazardous Waste Management Program (chap 6)—

(1) Promote measures that will maintain equipment and supplies to extend their useful life. This will reduce solid and hazardous wastes (SHW).

(2) Help unit leaders promote savings and waste minimization by monitoring and controlling shelf-life items.

(3) Encourage waste reduction and eliminate environmental pollution by preventing accidental spills and contamination of products.

(4) Coordinate with the DCSENGR to provide policy and procedures on transporting wastes (incl record-keeping and reporting to HN regulatory officials).

c. For the Air Pollution Abatement Program (chap 4)—

(1) Coordinate with the Deputy Chief of Staff for Logistics, HQDA, and other leaders in the wholesale logistic systems to minimize the procurement and use of substances, commercial equipment, and vehicles that contribute to air pollution and depletion of the ozone layer.

(2) Promote the control of dust, exhaust emissions, and volatile organic compound vapor generation from logistic operations. This will reduce their affect on air quality.

1-8. THE DEPUTY CHIEF OF STAFF, ENGINEER, USAREUR

In addition to responsibilities in paragraph 1-4, the DCSENGR will—

a. Direct and coordinate environmental programs in USAREUR. The DCSENGR (AEAEN-ENVR) will manage the USAREUR Environmental Quality Program and—

(1) Be the USEUCOM executive agent (EA) for environmental programs (USEUCOM Dir 61-6).

(2) Coordinate and support environmental training programs and courses for USAREUR personnel.

(3) Coordinate USAREUR environmental policy with the HN, USEUCOM, USNAVEUR, and USAFE when appropriate.

(4) Develop, program, and defend USAREUR annual environmental program budgets.

(5) Develop and oversee final governing standards (FGS) according to EA functions required by DOD Directive 6050.16.

(6) Encourage engineer troop units to participate in USAREUR environmental programs.

(7) Help the Chief, Public Affairs (CPA), USAREUR, establish an appropriate public affairs program that supports USAREUR environmental programs. The DCSENGR will coordinate public affairs activities on environmental matters with the CPA.

(8) Oversee the development and execution of USAREUR environmental policy and programs.

(9) Provide policy, technical assistance, and oversight for the management of environmental program areas in b below.

(10) Recommend actions to help USAREUR meet applicable HN environmental quality standards.

b. Be responsible for following areas of the USAREUR Environmental Quality Program:

(1) Air pollution abatement.

(2) Asbestos management.

(3) Environmental auditing and reporting requirements, and environmental quality awards.

(4) Environmental compliance.

(5) Environmental considerations applicable to installations being returned to HNs.

(6) Environmental impact analyses.

(7) Environmental noise management.

(8) Environmental restoration.

(9) HM management.

(10) Natural and cultural resources, and pest management.

(11) POL and hazardous substances; and spill contingency plans, controls, and emergency responses.

(12) Radon reduction.

(13) SHWM.

(14) Water resources management.

c. On behalf of the Commander in Chief, USAREUR—

(1) Provide USAREUR-specific policy and guidance on environmental program requirements.

(2) Help resolve noncompliance issues that have HN national or multistate implications promptly.

(3) Help ASGs resolve disputes with HN authorities.

(4) Review existing and proposed HN legislation and HN, DOD, and Army regulations, policies, and directives for their effect on the USAREUR Environmental Quality Program.

(5) Identify, program, budget, and defend resource requirements for the program.

(6) Establish an organizational structure to plan, execute, and monitor the USAREUR Environmental Quality Program.

(7) Submit required environmental reports to HQDA.

(8) Help ASGs review permit applications, negotiations, and proceedings associated with water rights approvals when necessary.

(9) Provide policy and procedures on SHWM, including the following:

(a) Source reduction, source separation, and recycling.

(b) Resource recovery.

(c) Treatment, storage, and disposal.

(10) Monitor and evaluate USAREUR progress in meeting HQDA and HN waste reduction goals and standards.

(11) Implement and monitor a hazardous waste minimization (HAZMIN) program with HQDA and USAREUR goals and objectives.

(12) Solicit ideas to promote waste minimization.

(13) Coordinate with the Defense Reutilization and Marketing Region, Europe (DRMR-E), to provide cost-effective and reliable waste disposal service for USAREUR (incl implementing standard procedures for accurately identifying, segregating, weighing, transporting, reporting, and offering hazardous wastes (HWs) to Defense Reutilization and Marketing Offices (DRMOs) for treatment, storage, or disposal).

(14) Establish the USAREUR Environmental Restoration Program (UERP) and develop a data base of USAREUR contaminated sites (DUCS).

(15) Develop and provide USAREUR policy and procedures for preparing and implementing spill prevention control and countermeasure plans (SPCCPs) and community spill contingency plans (CSCPs).

(16) Assess the status of ASG asbestos management plans.

(17) Coordinate with the CSURG on health aspects of the Asbestos Management Program (chap 10) to prescribe USAREUR criteria, instructions, and corrective measures for asbestos releases and exposures.

(18) Assess the status of radon testing and mitigation actions and programs in USAREUR.

(19) Be a member of the USAREUR Environmental Claims Coordinating Committee (ECCC).

d. For U.S. and HN environmental program coordination in Germany—

(1) Represent the U.S. Forces, serve as co-chair of, and ensure that HQ USAREUR/7A is actively represented and participates in the U.S.-German Environmental Committee.

(2) Represent the U.S. Forces at the Sending States Working Group to discuss and coordinate environmental issues of mutual concern.

(3) Represent USAREUR at environmental working groups at the state level when required.

(4) Provide a representative to the NATO Committee on Challenges of Modern Society working groups when requested by the Office of the Assistant

Secretary of the Army (Installations, Logistics, and the Environment).

(5) Notify interested DOD agencies, HQ USAREUR/7A staff elements, and ASGs of U.S.-German Environmental Committee meetings.

e. Coordinate U.S.-HN environmental programs outside of Germany through the USEUCOM Environmental EA (or directly when appropriate) to effect contact and coordination with HN environmental authorities.

1-9. DEPUTY CHIEF OF STAFF, RESOURCE MANAGEMENT, USAREUR
In addition to responsibilities in paragraph 1-4, the Deputy Chief of Staff, Resource Management (DCSRM), USAREUR, will—

a. Integrate environmental funding requirements into the development of USAREURs program objective memorandum (POM).

b. Administer overall direction and guidance as relates to programming and budgeting, to include—

(1) Impart DA policy as modified by Commander in Chief, USAREUR, decisions.

(2) Issue Resource Guidance in coordination with management decision package (MDEP) manager.

(3) Allocate resources based on fiscal guidance in compliance with Commander in Chief, USAREUR, priorities.

1-10. DEPUTY CHIEF OF STAFF, HOST NATION ACTIVITIES, USAREUR
In addition to responsibilities in paragraph 1-4, the Deputy Chief of Staff, Host Nation Activities (DCSHNA), USAREUR, will—

a. Monitor HN environmental-political developments of interest to HQ USAREUR/7A and inform the Commander in Chief, USAREUR, and the DCSENGR of politically sensitive environmental issues in the HNs.

b. Establish, in coordination with the DCSENGR and the Judge Advocate (JA), USAREUR, environmental agreements with HN federal and state authorities when needed.

c. Establish policy, in coordination with the DCSENGR, to prevent maneuver damage. The DCSHNA will monitor implementation of the policy and ensure appropriate coordination is made with responsible HN authorities before, during, and after maneuvers.

d. Develop a standard noise complaint procedure in coordination with the DCSENGR and CPA and advise HQ USAREUR/7A staff officers of HN implications of noise conflict management issues.

1-11. CHIEF, PUBLIC AFFAIRS, USAREUR
In addition to responsibilities in paragraph 1-4, the CPA will—

a. In coordination with the DCSENGR, provide policy and guidance for public affairs activities that support USAREUR environmental programs.

b. Be the primary liaison between the DCSENGR and the media for information releases on critical or controversial environmental issues (for example, contaminated sites) and for requests from the media about the USAREUR Environmental Quality Program.

c. On request, review ASG public affairs information plans supporting environmental programs.

d. On request, review ASG public affairs plans to inform the community about noise reduction programs and complaint procedures (para 7-5).

1-12. CHIEF SURGEON, USAREUR
In addition to responsibilities in paragraph 1-4, the CSURG will—

a. Direct and coordinate health aspects of USAREUR Environmental Quality Program requirements. The CSURG, in coordination with the DCSPER (AEAGA-SA), will—

(1) Provide USAREUR policy and guidance on worksite SOH requirements for HQ USAREUR/7A staff elements, ASGs, and tenant units.

(2) Provide policy and procedures for health hazard training and health monitoring of civilian and military Army personnel. This will include educational materials related to—

(a) Health aspects of pollution abatement programs.

(b) Environmental monitoring.

(c) The generation, handling, storage, treatment, and disposal of HMs and wastes.

(3) Help the DCSPER establish requirements for SOH aspects of applicable environmental training (para 1-5b(3)) (for example, SHW, asbestos).

(4) Recommend actions to reduce or control adverse health effects and to protect individuals from hazardous exposures.

b. Do the following to support SOH aspects of the USAREUR Environmental Quality Program:

(1) Recommend measures to protect human health and the environment and to comply with applicable U.S. and HN standards.

(2) Advise affected and potentially affected persons on the environmental and related SOH aspects of USAREUR operations and activities.

(3) Conduct technical reviews and develop information on the nature and extent of potential environmental and SOH effects of pollution caused by USAREUR activities.

(4) Help USAREUR elements prepare operating permit applications for regulated pollution abatement facilities.

(5) Identify pollution-related health effect issues that require research and development and send them to The Surgeon General, HQDA, for evaluation.

(6) Monitor the human health and environmental aspects of USAREUR environmental programs, including—

(a) Air pollution.

(b) Asbestos and radon.

(c) Environmental noise.

(d) Environmental restoration and contaminated sites.

(e) Pest management.

(f) POL and hazardous substances spill response and contingency planning.

(g) Solid and hazardous materials and wastes.

(h) Water, wastewater, and drinking water.

(7) Conduct field surveys, investigations, and special studies related to environmental program requirements and provide technical advice to ensure elements comply with applicable environmental protection and SOH requirements.

c. For the Water Resources Management Program (chap 3)—

(1) Develop, implement, and maintain a USAREUR Drinking Water Surveillance Program (DWSP) according to DA policy and procedures and applicable U.S. and HN standards, criteria, and regulations.

(2) Advise affected and potentially affected public and distribute information on water pollution conditions that may adversely affect human health and the environment.

(3) Conduct field investigations and special studies to determine the effectiveness of water and wastewater treatment and recommend corrective measures when necessary.

(4) Provide technical consultation and evaluations to ASG and activity commanders on the health, welfare, and environmental aspects of water and wastewater management programs and activities.

(5) Coordinate with the DCSENGR to develop water and wastewater treatment requirements, procedures, surveys, and studies.

(6) Implement HQDA water quality standards and criteria for drinking water and for recycling and reusing wastewater for nonpotable purposes for use in field environments and military-unique situations where U.S., HN, and World Health Organization standards and criteria are nonexistent, inappropriate, or not applicable.

d. For USAREUR pest management programs, provide technical assistance, guidance, and instructions on—

(1) Disease vector surveillance and control.

(2) Pest resistance to control efforts.

(3) Safe use, disposition, and monitoring of pesticides.

(4) Training and certification and recertification of pest management and herbicide applicator personnel.

e. Ensure that medical wastes generated at medical treatment facilities are handled and disposed of according to U.S. and HN requirements.

f. Provide laboratory support as necessary to—

(1) Execute Army Medical Department preventive medicine responsibilities.

(2) Support the USAREUR Environmental Quality Program.

1-13. JUDGE ADVOCATE, USAREUR
In addition to responsibilities in paragraph 1-4, the JA will—

a. Provide legal advice and assistance to HQ USAREUR/7A on environmental matters that affect or have the potential to affect USAREUR. The JA will advocate and promote compliance with applicable U.S. and HN environmental standards and Army policy. Specifically, the JA will—

(1) Provide interpretation and advice on compliance with U.S. and HN standards.

(2) Inform USAREUR commanders, subordinate activity heads, and unit commanders of their legal responsibilities.

(3) Advise the DCSHNA on legal issues pertaining to the negotiation of environmental agreements with HN authorities.

(4) Coordinate environmental law matters with HQDA (DAJA-EL), the HQ USEUCOM legal advisor, and the staff judge advocates of the other USEUCOM component commanders.

(5) In coordination with the DCSENGR (AEAEN-ENVR), monitor applicable U.S. and HN environmental legislative and regulatory developments that may affect USAREUR activities.

(6) Advise USAREUR officials on the appropriateness of taxes, penalties, fees, fines, sanctions, or compliance orders arising from HN environmental requirements or enforcement activities.

(7) Evaluate noise complaint and control issues that may have significant legal ramifications and help determine the U.S. and HN noise standards that govern each USAREUR noise environment.

(8) Provide legal assistance to the DCSENGR on water rights approvals developed by ASGs with HN authorities.

b. Chair and coordinate meetings of the USAREUR ECCC.

c. Ensure that legal processes directed against DA or any USAREUR agency and initiated by HN courts, administrative tribunals, or regulatory bodies are returned to the issuing court, tribunal, or body with advice that such legal process must be directed against the United States of America and must be served on the United States Department of Justice through diplomatic channels. The JA will maintain liaison with the Chief, Overseas Office, Civil Division, United States Department of Justice, in connection with such matters.

1-14. COMMANDER, DEFENSE REUTILIZATION AND MARKETING REGION, EUROPE
The Commander, DRMR-E, will—

a. Comply with the goals, policy, procedures, and requirements of AR 200-1, paragraph 1-33, and take actions to comply with and support requirements of this regulation.

b. Provide contractual support to USAREUR to ensure USAREUR complies with HN HW disposal standards.

c. Provide guidance on disposal procedures.

1-15. COMMANDER, SEVENTH ARMY COMBINED ARMS TRAINING CENTER
The Commander, Seventh Army Combined Arms Training Center, will—

a. Include environmental requirements in the curriculums of courses that may deal with environmental issues (for example, courses dealing with director of engineering and housing (DEH) responsibilities, handling of HMs, operating maintenance facilities).

b. Provide basic environmental awareness training for soldiers at every unit-level training course.

c. Help the DCSENGR establish environmental training courses and needs for specific areas when appropriate.

1-16. COMMANDER, 10TH MEDICAL LABORATORY
The Commander, 10th Medical Laboratory, will—

a. Recommend measures to protect human health and the environment and to comply with applicable regulations.

b. Provide personnel to conduct field investigations and special studies in support of the USAREUR Environmental Quality Program and this regulation.

c. Provide technical consultation to ASGs to support environmental program requirements.

d. For the Hazardous Materials Management Program (chap 5)─

(1) Train and certify personnel in pesticide application, handling, storage, use, and disposal. This training and certification will be conducted according to DOD pest management certification requirements and applicable HN and DA publications.

(2) Conduct the Army Pesticide Monitoring Program according to AR 40-5.

(3) Provide assistance and consultation to persons who prepare and interpret material safety data sheets (MSDSs).

e. For the Environmental Noise Management Program (chap 7)─

(1) Provide consulting engineering assistance to ASG commanders on noise pollution problems from military and HN sources.

(2) Conduct noise assessments of military activities and changes in noise levels based on mission changes, and maintain information on noise environments.

f. For the Asbestos Management Program (chap 10), provide resources for conducting field investigations, special studies, and surveys on asbestos according to AR 40-5 and recommend measures to protect humans in an occupational-related environment.

g. Provide consultations for handling and disposal regulated medical waste according to 7th Medical Command Regulation 40-18.

h. Provide guidance on and assistance with Health Hazard Risk Assessments (HHRAs).

1-17. COMMANDERS OF MEDICAL DEPARTMENT ACTIVITIES AND U.S. ARMY MEDICAL CENTERS

Commanders of medical department activities and U.S. Army medical centers will─

a. Implement measures to support the requirements of this regulation and AR 200-1, paragraph 1-28.

b. Help establish SOH aspects of environmental training requirements.

1-18. USFLOS AND ASSISTANTS FOR POLITICAL-MILITARY AFFAIRS

a. USFLOs will serve as USAREUR POCs on communications on environmental program matters from HN officials at the state (*Land*) level in Germany.

b. Assistants for political-military affairs will be ASG POCs on communications on environmental program matters from HN officials at district, county, and community levels. Assistants for political-military affairs will─

(1) Ensure responsible public affairs officers (PAOs) know about environmental matters that may involve public interest.

(2) Help commanders solve environmental program issues by providing information on socio-political aspects of issues and ensure that administrative and protocol requirements are met.

1-19. ASG COMMANDERS

ASG commanders will─

a. Incorporate environmental considerations into decisionmaking processes according to this regulation, chapter 13, and AR 200-2, chapter 8, by─

(1) Establishing an organizational structure to plan, execute, monitor, and support environmental programs.

(2) Establishing an environmental quality control committee (EQCC) (para 12-8).

(3) Establishing a community relations advisory council (CRAC) of ASG and HN representatives.

(4) Implementing a public affairs program that supports the USAREUR Environmental Quality Program.

(5) Performing routine inspections to determine when operations, maintenance, or training activities are causing or could cause environmental problems.

(6) Complying with requirements in AR 415-15 for environmental surveys of proposed construction sites.

(7) Implementing control measures that ensure VENC funds provided for "must fund" class I projects are not moved (para 12-6 defines classes).

b. Implement an environmental compliance assessment system (ECAS) to achieve, maintain, and monitor compliance with environmental requirements.

c. Support participation in environmental quality awards programs (para 12-7).

d. Program and budget funds and personnel to execute environmental programs based on the current Environmental Pollution Prevention and Control and Abatement of DOD Facilities Report (requirement control symbol (RCS) DDP&L 1383) package and to comply with U.S. and HN environmental protection standards. This report will be referred to as the RCS 1383 report throughout this regulation.

e. Cooperate with HN authorities—

(1) During negotiations about environmental compliance and protection standards.

(2) By providing HN representatives of regulatory agencies with appropriate access to facilities and activities to monitor compliance with applicable pollution abatement standards under their jurisdiction. (Access will be limited only for reasons of national security or personal safety. For areas so restricted, every effort will be made to arrange conditions for inspection).

(3) By complying with the provisions of the *Auftragsbautengrundsätze (ABG)* 75 (in Germany) when planning, coordinating, and implementing construction and repair projects.

(4) By directing inquiries from HN authorities or the public on environmental program issues to the appropriate USFLO or assistant for political-military affairs (para 1-18).

f. Supporting natural and cultural resources management programs. ASG commanders will—

(1) Comply with the policy, procedures, and goals in this regulation, chapter 12; AR 200-1, paragraphs 12-3 and 12-4, and AR 420-74 with USAREUR Supplement 1.

(2) Develop and implement a natural resource management plan (NRMP) to protect HN lands and environment.

g. Report spills of POL and hazardous substances to HQ USAREUR/7A (para 8-4). Spills will be reported immediately when there is an imminent threat to human health or the environment. For POL and hazardous substances spill contingency planning, control, and emergency response, ASG commanders will—

(1) Be aware of and follow the policy, procedures, and requirements of chapter 8.

(2) Develop and implement SPCCPs and CSCPs. This includes establishing community response teams (CRTs).

(3) Designate in writing an ASG spill response coordinator.

(4) Conduct annual spill response simulation exercises to determine the effectiveness of SPCCPs, CSCPs, and CRTs.

(5) Provide training and health monitoring for persons carrying out SPCCP and CSCP responsibilities according to U.S., DA, and HN requirements.

(6) Consult with PAOs and notify HQ USAREUR/7A about actual or anticipated media coverage, local public reaction, and proposed PAO responses to a spill of POL or other hazardous substance.

(7) Ensure tenant organizations and contractors are aware of and follow the policy and procedures in this regulation, chapter 8, SPCCPs, CSCPs, and relevant standing operating procedures (SOPs).

h. Implement a public affairs program that supports the USAREUR Environmental Quality Program.

i. Submit required environmental reports (for example, the RCS 1383 Report) to HQ USAREUR/7A on time.

j. For the Water Resources Management Program—

(1) Help HN agencies (in Germany the *Oberfinanzdirektion (OFD)*) obtain water rights approvals or permits for water supply and wastewater treatment systems (para 3-12).

(2) Ensure routine sampling and analysis programs are implemented to ensure applicable World Health Organization, U.S., DOD, DA, and HN regulations are followed.

k. For the Air Pollution Abatement Program—

(1) Identify, monitor, and maintain a current inventory of air pollution emission sources.

(2) Develop and implement smog alert plans where considered necessary by HN authorities.

(3) Coordinate with HN authorities when an announcement of a smog alert plan is considered necessary.

(4) Enforce policy and restrictions on open burning.

l. For the Environmental Noise Management Program (chap 7), respect HN customs and ordinances on quiet hours, by—

(1) Establishing policy for day-to-day operations that keeps noise to a minimum. Policies that have been coordinated with local HN officials will be sent through command channels to the DCSOPS for approval.

(2) Taking noise issues into account when planning training exercises, real estate and stationing actions, and proposed construction or repair projects.

(3) Conducting training and operations, (incl base operations functions) so that noise is kept to a minimum, consistent with the need to maintain mission capability.

(4) Developing and implementing an ASG noise management program (incl a noise complaint process).

(5) Ensuring key training, operations, executive, and technical staffs involved in noise issues are adequately trained in noise management policy, procedures, and techniques.

m. For the Hazardous Materials Management Program (chap 5), implement an ASG HM management control program and—

(1) Comply with chapters 5 and 6 (this reg) and AR 200-1, paragraphs 5-6, 5-7, 6-2, 6-6.

(2) Comply with HN and Army standards on managing HMs (incl procurement, use, storage, and ultimate disposal).

(3) Ensure that required MSDSs (or HN equivalents) are available to personnel for each type of chemical.

(4) Implement and support USAREUR HAZCOM requirements.

(5) Encourage use of nonhazardous and nontoxic materials in ASG and activity operations and procedures when possible.

(6) Program and budget for training and certifying pest management and herbicide applicator personnel. This training and certification will comply with U.S. and applicable HN standards, DOD policy, and AR 420-76.

(7) Ensure life-cycle management of HMs is coordinated with each ASG element to support DA and USAREUR HAZMIN goals and objectives.

(8) Ensure that HMs are properly stored.

(9) Establish procedures to identify and correct deficiencies concerning HM management.

n. For the Solid Waste and Hazardous Waste Management Program (chap 6)—

(1) Be aware of and follow the requirements of AR 200-1, chapter 6, and this regulation.

(2) Ensure that HW-generating activities (HWGAs) (incl tenant organizations) know about and comply with applicable U.S. and HN SHWM standards.

(3) Ensure instances of noncompliance with waste management standards are corrected as soon as possible.

(4) Be the principal official in the ASG in negotiating with HN regulatory officials on compliance issues.

(5) Ensure that persons involved in SHWM activities are trained according to U.S. and HN standards immediately on their assignment.

(6) Apply to HN regulatory officials for necessary permits, permit renewals, and permit modifications, and sign the permit application as the "operator" of the facility (incl HW units operated by tenant organizations and sub-installations). This authority may not be delegated.

(7) Within 5 calendar days of notice, send information on criminal complaints or threatened or imposed administrative fines under HN laws, to the JA (AEAJA-IL-FL) for coordination with the DCSENGR (AEAEN-ENVR).

(8) Ensure that an HWMB is established and functioning to implement the ASG hazardous waste management plan (HWMP).

(9) Appoint a person to be responsible for daily management of SHW.

(10) Implement measures to determine the use of proceeds from recycling programs according to AR 420-47, and give initial funding priority to improving environmental programs (AR 200-1, para 6-14).

(11) Implement procedures to comply with DA and USAREUR policies for HW disposal costs and chargeback procedures for ASG HW (incl tenant organizations).

(12) Promote awareness of, provide incentives for, and implement measures to support DA and USAREUR HAZMIN goals and objectives (incl HAZMIN as an ongoing function of the EQCC and HWMB).

(13) Prepare an annual HW report on the efforts and accomplishments of the ASG HW program for the previous calendar year. The report will include HAZMIN activities. ASG commanders will send these reports to Commander in Chief, USAREUR, ATTN: AEAEN-ENVR, Unit 29351, APO AE 09014, by 1 April each year (AR 200-1, para 6-6c, and this reg, chap 6, sec V).

(14) Ensure that the director of logistics (DOL) implements an HM procurement and inventory control program.

o. For the UERP (chap 9)—

(1) Ensure that UERP activities are conducted according to HN standards and chapter 9.

(2) Ensure contaminated sites are identified in the RCS 1383 Report.

(3) Program and budget for actions to identify, investigate, and clean sites (for example, soil and groundwater) contaminated by current or former Army activities.

(4) Maintain and provide updated information for HQ USAREUR/7A to incorporate in DUCS. ASG commanders will ensure this information is included in RCS 1383 Reports.

(5) Report major UERP developments to HQ USAREUR/7A (incl discoveries of offpost migration). Commanders will coordinate UERP proposals with HQ USAREUR/7A.

(6) Be the ASG POC for coordinating with HN authorities.

(7) Ensure that UERP activities are coordinated, when appropriate, with the CRAC, EQCC, PAO, and CPA. This is especially important when activities involve controversial UERP community relations issues.

p. For the Asbestos Management Program (chap 10)—

(1) Establish and execute an asbestos management plan that supports DA and USAREUR asbestos management policies and goals. The plan will be updated each year.

(2) Program for and conduct surveys to identify the existence, extent, and condition of asbestos-containing material (ACM) in USAREUR-controlled structures (incl leased facilities).

(3) Establish an ASG asbestos management team (para 10-4).

(4) Designate an asbestos control officer in writing (para 10-5).

(5) Comply with and oversee requirements of the Asbestos Hazard Emergency Response Act of 1986 (AHERA) as it applies to Department of Defense Dependents Schools (DODDS) in the ASG.

q. For the Army Radon Reduction Program (ARRP) (chap 11)—

(1) Plan, execute, document, and manage radon monitoring and mitigation efforts in the ASG.

(2) Purchase radon detectors and laboratory analytical services through contracts that are managed by the United States Army Engineering and Housing Support Center.

(3) Complete monitoring of structures (incl leased facilities) by fiscal year 1993 and maintain records of all structures monitored.

(4) Prepare and submit an annual report to HQ USAREUR/7A each year (para 11-9). The report will identify progress in implementing the ARRP.

r. For ionizing/nonionizing Radiation Protection Program (RPP) (AR 40-5, AR 385-11, and USAREUR Reg 385-12)—

(1) Appoint an installation radiation protection officer to oversee the ASG RPP.

(2) Direct issues and questions on the RPP to the USAREUR Safety Office (370-8124).

1-20. ASG SAFETY OFFICERS

ASG safety officers will—

a. Provide a member to the EQCC, HWMB, and asbestos management team.

b. Implement the USAREUR HAZCOM Program.

c. Conduct job hazard analysis and Standard Army Safety and Occupational Health Inspection (SASOHI) as required in AR 385-10.

1-21. DEHS

DEHs will—

a. Be the ASG commander's representative for managing and executing the environmental program.

b. Ensure requirements of this regulation and HN requirements are included in SOPs (for example, proper HW handling and storage; spill response; asbestos management).

c. Prepare and submit required environmental reports and ensure environmental requirements are included in RCS 1383 Reports.

d. Monitor compliance with environmental program requirements (incl activities of tenant organizations and sub-installations).

e. Be the executive secretary of and actively participate in the EQCC.

f. For the Solid Waste and Hazardous Waste Management Program (chap 6)—

(1) Advise waste-generating activities about HN, DA, and USAREUR standards for managing SHWs.

(2) Ensure personnel receive training immediately on assignment to SHWM functions.

(3) Ensure that HW chargeback procedures are implemented for HW disposal costs for non-USAREUR tenant organizations.

(4) Prepare an HW report (incl HAZMIN activities) for the previous calendar year.

(5) Program for HW disposal costs in the RCS 1383 Report.

(6) Be aware of and comply with requirements in AR 200-1, paragraph 1-26.

g. For the Asbestos Management Program (chap 10)—

(1) Comply with requirements in AR 200-1, paragraph 1-26b.

(2) Execute responsibilities for asbestos surveys on facilities before leasing or renewing leases.

h. For the Water Resources Management Program (chap 3)—

(1) Ensure—

(a) Vehicles are maintained, repaired, washed, and filled with fuel only in designated areas.

(b) Waste POL, antifreeze, brake fluid, and other chemicals are collected separately in proper, well-labeled containers.

(c) Batteries are charged and drained only at properly designed battery shops.

(d) Solvents are recyclable. Only small quantities of solvents may be collected and disposed of separately.

(2) Use washracks for nuclear, biological, and chemical (NBC) decontamination training only when water is used instead of decontaminants (for example, super tropical bleach, DS-2).

(3) Enforce prohibitions on use of decontaminants at washracks.

(4) Provide written instructions to washrack operators and units on proper operation of washracks and on applicable environmental requirements, restrictions, and prohibitions.

(5) Regularly inspect and service sedimentary basins and POL separators.

1-22. DOLS
DOLs will—

a. Be a member of the ASG HWMB.

b. Help the ASG commander develop procedures to use the HM use information from the DCSLOG to determine waste minimization goals and progress.

c. Arrange for and monitor onpost and offpost shipments of HW to ensure HN standards on transporting HWs are followed.

d. In coordination with the DEH, prepare and maintain records and reports (incl HW manifests) on transporting HWs according to HN and Army standards.

1-23. CHIEF, ASG PAO
The chief of the ASG PAO will—

a. Establish a supporting public affairs program and develop effective noise complaint management procedures.

b. Coordinate with the CPA on information releases on controversial environmental issues and for requests from the public about the USAREUR Environmental Quality Program.

1-24. CIVILIAN PERSONNEL OFFICERS
Civilian personnel officers (CPOs) will support DEHs in providing education and training to persons identified to—

a. Work with asbestos or hazardous materials or hazardous wastes (HMHWs).

b. Respond to incidents with HMHWs.

1-25. HEADS OF TENANT ORGANIZATIONS
Heads of tenant organizations (for example, DRMOs) on Army property and Army commanders, in places where the Army is a tenant on non-Army property, will—

a. Comply with the U.S. and HN standards, SHWM laws and regulations, and Army policy.

b. Implement measures to comply with this regulation.

1-26. UNIT, ACTIVITY, AND TENANT ORGANIZATION COMMANDERS

Unit, activity, and tenant organization commanders are subject to the environmental requirements in this regulation and the environmental policy of the ASG in which they are located.

1-27. SUPERVISORS

Supervisors will provide and program for personnel training, support the USAREUR HAZCOM Program, and promote environmental awareness in missions and functions.

CHAPTER 2
COMPLIANCE AND COOPERATION

2-1. GENERAL

This chapter describes legal requirements for complying with U.S. and HN environmental standards and potential liability associated with violations. It also provides USAREUR policy on cooperating with HN authorities.

2-2. COMPLIANCE WITH HN STANDARDS

a. ASG commanders will comply with the provisions of the Status of Forces Agreement (SOFA) and stationing agreements. In Germany, for example, USAREUR commanders will comply with the NATO SOFA, the German Supplementary Agreement to it, and the Protocol of Signatures to the Supplementary Agreement.

b. USAREUR commanders responsible for the construction or operation of U.S.-controlled facilities will ensure that such construction or operation complies with the environmental pollution control standards of general applicability (glossary) in the HN or area of jurisdiction. (See Executive Order 12088.)

c. Appendix A is a partial listing of HN environmental laws where USAREUR forces are located. Appendix A is not all-inclusive; USAREUR commanders have ultimate responsibility for identifying and following current and emerging applicable HN environmental standards. For purposes of examples in this regulation, where HN standards are cited, they are those of Germany.

d. HN agencies may require evidence of compliance with environmental standards in connection with approval of project construction. In Germany, for example, U.S. Forces may be required to provide environmental information in connection with the procedures in article 49 of the Supplementary Agreement to the NATO SOFA and in *ABG* 75.

e. USAREUR commanders must comply with substantive environmental pollution control HN standards of general applicability. USAREUR commanders normally will not be obligated to comply with procedural provisions of laws and regulations. Procedural compliance in areas of SHWM is generally the principal exception in Germany as described in (2) below.

(1) Under international law, and in the absence of agreements to the contrary, the United States as a sovereign power may not be compelled to comply with procedural requirements such as—

(a) Information collection and reporting.

(b) Obtaining rights, permits, and licenses.

(c) Employing statutorily designated inspection agencies.

(2) For SHWM programs, commanders will comply with HN substantive standards and procedural requirements (for example, preparing HW permits and waste manifest documents).

(3) With the exception of (2) above, USAREUR commanders generally will not apply for permits from a HN. When a permit is required by HN law, the HN agency administering the real property (for example, in Germany the *OFD* or *Bundesvermögensamt (BVA)* (German Federal Assets Office) may apply for the permit on behalf of the U.S. Forces when the U.S. Forces agree or have agreed in the past to this procedure). Approval for agreements with HN authorities to obtain permits required under HN law must be obtained from the DCSENGR (AEAEN-ENVR). Once a permit is obtained by the responsible HN authority under the procedure agreed on with the U.S. Forces, the ASG commander will ensure the U.S. Forces comply with the provisions of the permit.

f. ASG commanders will ensure they have access to applicable HN environmental standards.

2-3. ENVIRONMENTAL LIABILITY

a. Commanders will ensure U.S.-controlled installations and military activities under their control comply with HN environmental laws and pollution control standards.

b. Violation of environmental pollution control HN standards of general applicability may subject the offender to HN criminal or civil penalties. USAREUR will take appropriate measures to protect its personnel from HN action against them for acts or omissions occurring in the performance of official duty. Persons who violate HN

environmental standards outside their official duty will not be protected by the U.S. Government.

c. Violators of environmental standards may be subject to criminal prosecution or imposition of administrative fines. Lack of funds to remedy an environmental deficiency is not a defense to prosecution. An individual, however, normally cannot be prosecuted if that individual does not have the authority or power to prevent the environmental damage and has notified his or her supervisor of the deficiency. When military members or civilian employees (incl local national employees) are prosecuted by HN authorities or subjected to proceedings for collection or enforcement of an administrative fine for environmental violations arising from the performance of official duties, they may request that HN legal counsel be made available to them at U.S. Government expense (AR 27-50, chap 2). The U.S. Army cannot, however, pay or reimburse the military member or civilian employee for any fine imposed on him or her for the violation.

d. In Germany, criminal offenses against the environment have been codified in chapter 28 of the German Criminal Code (*Strafgesetzbuch*). This chapter explains prohibited conduct. Section titles generally describe the prohibited action. For example, section 324, Contamination of Waters, states that whoever contaminates or attempts to contaminate water may be punished by up to 5 years confinement or a fine; negligent contamination carries up to 2 years confinement or a fine.

e. Various environmental standards may include provisions that subject violators to administrative fines. In Germany, the most important of these are the following:

(1) The Federal Water Act (*Wasserhaushaltsgesetz*).

(2) The Federal Emission Control Law (*Bundesimmissionsschutzgesetz*).

(3) The Waste Law (*Abfallgesetz*).

(4) The Radiation Protection Law (*Strahlenschutzvorsorgegesetz*).

(5) The Law Concerning Violations of Good Order (*Ordnungswidrigkeitengesetz*) (sec 117 of which proscribes unnecessary noise).

f. In addition to the HN standards of general applicability, state and provincial standards also may apply. For example, every German state (*Land*) and many communities have standards forbidding conduct injurious to the environment. The standards derived from federal-level statutes generally deal with waste disposal and water and noise pollution. Violations of these standards may subject the offender to sizeable administrative fines.

g. It is illegal for personnel to discharge HWs except when acting under orders to perform military duties (USAREUR Reg 600-1, para 27). Violations of USAREUR Regulation 600-1 may subject the offender to punishment under Uniform Code of Military Justice, article 92, for failing to obey a lawful general regulation.

h. Every act of noncompliance with environmental standards must be identified and, when possible, corrected immediately. Corrective actions requiring a project or funding must be included and documented in the RCS 1383 Report. Corrective actions must be planned and programmed for funding using POM, program analysis resource review (PARR), command operating budget (COB), military construction, Army (MCA), or other appropriate means). Failure to take corrective action may subject responsible persons to criminal liability.

i. Pursuant to DOD Directive 6050.16, DOD environmental baseline standards or the HN standards will be the FGS for each HN, as determined by the EA. These standards become binding on every commander when issued.

2-4. COMPLIANCE WITH FINAL GOVERNING STANDARDS

a. HQ USAREUR/7A is the EA for the geographic areas of Belgium, Germany, and The Netherlands (DOD Dir 6050.16). HQ USAREUR/7A will identify HN environmental standards and determine their applicability to DOD components and operations in those areas.

b. ASG commanders will comply with FGSs as they are published. DOD components in the USAREUR geographic areas of responsibility (a above) will comply with FGSs established by HQ USAREUR/7A.

c. USAREUR components and elements outside of Belgium, Germany, and The Netherlands will comply with FGSs published by the EA for their area. Only the responsible EA may approve waivers from established FGSs. For USAREUR elements and tenant agencies on USAREUR-controlled property, waiver requests must be sent through the DCSENGR (AEAEN-ENVR) to the EA.

2-5. COOPERATION WITH HN AUTHORITIES

a. USAREUR commanders will cooperate with HN authorities who have legitimate requests for information

about unclassified activities that affect environmental quality. Official HN agencies will be received in a cooperative spirit when they request information and during visits related to areas of bona fide concern.

b. USAREUR commanders will answer information requests that—

(1) Apply to compliance with applicable HN substantive pollution control standards of general applicability in the HN.

(2) Are necessary to allow the HN to issue required permits for SHWM programs.

NOTE: If an ASG commander believes an information request is unreasonable to accomplish the purposes stated, he or she will contact the DCSENGR for advice.

c. For environmental information requests not directly related to compliance or permit issuance, commanders will provide readily available information to requesting HN officials. If information is not readily available, ASG commanders will advise the requesting HN officials of this and invite them to collect the information requested, unless security or operational requirements would be affected. When HN collecting of information involves entry to USAREUR-operated facilities, the ASG commander will take appropriate security precautions and ensure there is no interference with mission operations.

d. Requests for environmental information about accommodations announced for closure will be referred to the CPA and usually will be handled through the appropriate HN agency (for example, the *BVA* in Germany).

e. ASG commanders will request that HN authorities schedule visits and ensure that knowledgeable ASG and base support battalion (BSB) personnel accompany the HN representatives during the visits. If HN authorities from a number of different organizations request to visit simultaneously, USAREUR commanders will ask the HN authority responsible for the real estate (in Germany, the *BVA* or *OFD*) to help the agencies consolidate their visits to prevent unnecessary duplication of staff time and effort.

f. Commanders will request that reports and information generated from visits and studies performed by HN authorities on U.S.-controlled installations (or NATO installations used by U.S. Forces) be made available to the U.S. Forces. USAREUR commanders will ask HN authorities to provide a copy of the visit report to the DEH and to not distribute the report to any firms or agencies. Refusal by HN authorities to provide the reports or information should be referred to the DCSENGR (AEAEN-ENVR).

g. ASG commanders will get DCSENGR (AEAEN-ENVR) approval for unusual HN requests for visits with an unclear legal basis from organizations (private and public) with unexplained objectives.

CHAPTER 3
WATER RESOURCES MANAGEMENT PROGRAM

3-1. SCOPE

a. This chapter identifies requirements that apply to fixed and field facilities for—

(1) Drinking water supplies.

(2) Prevention and control of surface- and ground-water pollution.

(3) Surface runoff control.

(4) Wastewater treatment and discharge.

b. USAREUR water resource management goals are to—

(1) Conserve HN water resources.

(2) Protect water from contamination.

(3) Ensure water is available for legitimate uses (for example, drinking).

c. To achieve the goals in b above, ASG commanders will—

(1) Control sources of pollution.

(2) Meet every applicable permit requirement (for example, in Germany, water rights approval permits).

3-2. HN STANDARDS

In USAREUR, HN standards require activities be performed with care to prevent pollution of the water or any detrimental change to its characteristics. Appendix A lists applicable standards for Germany.

3-3. PROGRAM REQUIREMENTS

a. Responsibilities. USAREUR will—

(1) Conserve water resources.

(2) Cooperate with responsible HN authorities in planning and carrying out water pollution control activities.

(3) Control or eliminate surface runoff and prevent soil erosion through sound management of land and vegetation.

(4) Comply with applicable HN standards in construction, community operations, and land management plans and activities.

(5) Monitor and maintain records on the quality of wastewater discharges from facilities (for example, washracks, vehicle maintenance shops, POL separators, sewage treatment plants).

(6) Take actions to attain the U.S. goal of zero discharge of water pollutants.

(7) Provide drinking water that meets standards set by the (U.S.) Safe Drinking Water Act (SDWA) or by HN drinking water standards, whichever is more stringent or meets Army standards for field environments and other military-unique situations (paras 3-4 and 3-9).

b. Illegal Discharge. On discovery of a discharge in violation of HN standards, steps will be taken immediately to correct the situation. If the situation cannot be corrected in a short period of time and a long-range plan of action is required, the ASG commander or a designated representative immediately will inform responsible local authorities and the DCSENGR (AEAEN-ENVR). The long-range plan of corrective action will be coordinated with responsible HN authorities (in Germany, the *Wasserbehörde*), included in the budget process, and identified in the RCS 1383 Report.

c. Site Inspections.

(1) When security will not be compromised and proper credentials are presented, authorized HN representatives may be allowed to enter an Army facility at reasonable times to—

(a) Examine records.

(b) Inspect facilities and monitoring equipment.

(c) Sample any effluent the Army facility is producing. Sampling costs will be at the expense of the HN agency.

(2) Inspectors from agencies in (1) above will be accompanied by DEH personnel, preventive medicine representatives, or both as determined by the ASG commander.

d. Municipal and Regional Wastewater System Connection.

(1) The use of municipal or regional wastewater collection and disposal systems is the preferred method to dispose of wastewater from Army facilities when life-cycle cost analyses (USAREUR Pam 11-28) show such use is the most economical. Exceptions are permitted in cases of forced connection (for example, in Germany according to the 1969 U.S.-Germany sewer connection agreement).

(2) The substantive standards of applicable HN wastewater discharge regulations will be met.

e. Pretreatment.

(1) Pretreatment systems will be operated according to HN standards. In the absence of HN standards, U.S. standards will apply.

(2) Prohibited discharge standards apply to every user of a pretreatment facility. Pollutants will not pass through the treatment facility untreated, interfere with subsequent treatment facility operations, or contaminate sludge to the extent that its disposal opportunities are affected.

3-4. DRINKING WATER REGULATIONS

a. Drinking water normally will be provided according to the SDWA or HN law (in Germany, the *Trinkwasser-verordnung* (*TrinkwV*)), whichever is more protective. The CSURG will provide directives for drinking water in field environments and other military-unique operations. When municipal-delivered water to U.S. accommodations does not meet SDWA criteria, this information will be sent to the Commander, 7th Medical Command, ATTN: AEMCL-PM, Unit 29218, APO AE 09102, for a determination of potential health risks.

b. Environmental considerations are associated with the treatment of raw water for drinking water. These considerations include the effects of brine and sludge discharged from water treatment systems and water draw-off restrictions from surface or groundwater sources. Water and other permits may be required for water treatment systems at both fixed and field facilities.

c. Water supply collection, storage, treatment, and distribution systems will be monitored, operated, maintained, repaired, and upgraded according to—

(1) AR 40-5.

(2) AR 420-46 with USAREUR Supplement 1.

(3) AR 700-136.

(4) Technical Bulletin (TB) MED 576.

(5) TB MED 577.

(6) Technical Manual (TM) 5-660.

(7) TMs 5-813-1 through 5-813-7.

d. The commander of an installation, activity, or unit who receives a notice of noncompliance or who is or will be unable to comply with any applicable HN or U.S. drinking water standard immediately will report this to the DCSENGR (AEAEN-ENVR) and the CSURG (AEMCL-PM) by telephone.

e. AR 200-1, chapter 3, lists regulated contaminants of the SDWA. German-regulated contaminants are listed in the *TrinkwV, Anhang E*.

3-5. SEWAGE TREATMENT PLANTS

Sewage treatment plants will (with consideration of use, conditions, and restrictions for discharge of wastewater) be built and operated according to current standards and AR 420-46 and USAREUR Supplement 1.

3-6. CERTIFICATION AND TRAINING

a. Operators of water, sewage, and industrial treatment plants will meet operator certification standards of the country or state where they are located. They also will meet requirements in AR 420-46 and USAREUR supplements to it.

b. Water, sewage, and industrial waste laboratories will seek certification according to applicable regulations.

3-7. WATER PROTECTION AREAS

a. Commanders will comply with applicable HN standards for water protection areas.

b. Water protection areas in an ASG and those affected by military activities of the ASG will be identified. The ASG environmental office will keep and update maps of these water protection areas and a list of HN standards that apply to the areas.

c. HN authorities may establish new water protection areas. In these water protection areas certain actions may be prohibited or declared permissible only under certain conditions. Monitoring of water and soil may be required. ASG commanders may establish water protection areas inside USAREUR-controlled facilities to protect U.S.-controlled and -operated drinking water wells.

d. During maneuvers, only very limited training operations may be conducted in water protection areas. In Germany, commanders will ensure soldiers comply with USAREUR Regulation 350-22. Every maneuver activity planned in a water protection area will be coordinated with the DCSHNA and responsible HN authorities before the maneuver begins.

3-8. FACILITIES FOR STORING, FILLING, PRODUCING, TREATING, AND HANDLING WATER-ENDANGERING SUBSTANCES

Facilities for storing, filling, producing, treating, and handling water-endangering substances will be—

a. Installed, built, maintained, and operated in a way that avoids polluting bodies of water or other detrimental effects.

b. Regularly inspected for integrity and operational readiness. A complete record of every inspection will be kept. Underground storage tank (UST) inspections and certifications will be conducted according to HN requirements, AR 200-1, paragraph 5-7, and the following:

(1) Before start-up of the facility or after a substantial change.

(2) At least once every 5 years; in water protection areas, every 2½ years.

(3) Before the reactivation of a facility that has been out of use for more than 1 year.

(4) When pollution is suspected or responsible HN authorities request an inspection.

(5) When operation of the facility has ceased.

3-9. MOBILE DRINKING WATER TREATMENT FACILITIES

a. Reverse Osmosis Water Purification Unit (ROWPU).

(1) ROWPUs will be operated in the field only when the equipment is in order, when every maintenance requirement has been complied with, and after the responsible local HN authority (in Germany, the *Wasserbehörde*) has approved the operation.

(2) ROWPUs will be operated only at larger streams with enough water-carrying capacity to allow

proper operation of the equipment and to comply with water quality standards.

(3) The following wastewater may be discharged directly in the receiving stream:

(a) Nonchlorinated product water.

(b) A mixture of nonchlorinated product water with concentrated wastewater.

(c) Filter backwash water, undiluted or diluted with nonchlorinated product water.

(4) The following wastewater will not be discharged directly into the receiving stream, but must be collected, transported to, and disposed of at a sewage treatment plant (after coordination with the sewage treatment plant operator) or into a sanitary sewer system that is connected to a sewage treatment plant (for example, at a vehicle washrack):

(a) Chlorinated product water.

(b) Wastewater produced by reverse osmosis element cleaning.

(5) When operating the ROWPU in the field, a tank should be taken into the field to capture element cleaning wastewater. The tank should have the capacity to hold wastewater from at least a 1-day element cleaning procedure. The tank should be emptied at a sewage treatment plant or at a vehicle washrack regularly to maintain enough holding capacity. An alternative would be to discontinue the ROWPU operation and drive to a sewage treatment plant or a vehicle washrack and perform the element cleaning at this site.

(6) Any discharge practices other than those described in (1) through (5) above requires approval from the DCSENGR and DCSLOG, and coordination with responsible HN water authorities.

(7) If the ROWPU operation causes environmental damage or complaints from HN authorities or the population, the responsible higher headquarters must be notified immediately. The operation will not be continued until the reason for the damage or complaint is found and corrected.

b. Erdlator. Units should restrict operation of the Erdlator to the maximum extent possible. Inside an installation, operation may take place only at facilities that are connected to the sanitary sewer system (for example, at a vehicle washrack). Operation of the Erdlator outside an installation will take place only─

(1) After the responsible local HN authority (in Germany, the *Wasserbehörde*) has been notified and approved the operation.

(2) At larger streams with enough water-carrying capacity to allow proper operation of the equipment and allow for dilution of any contaminants in the receiving stream.

3-10. FIXED DRINKING WATER TREATMENT FACILITIES

Potential environmental considerations are associated with the treatment of raw water for drinking water purposes. These considerations include the effects of brine and sludge discharged from water treatment systems and water draw-off restrictions from surface or groundwater sources. Permits may be required for water treatment systems at fixed facilities.

3-11. U.S.-HN AGREEMENTS

Commanders will comply with the provisions of agreements on the use of water bodies and on operation, maintenance, upgrade, and connection of water or wastewater facilities (in Germany, the 1969 Agreement Concerning the Connection to Municipal Sewage Systems of Accommodations Owned by the Federal Republic and Made Available to the U.S. Forces; the 1981 U.S.-FRG Outfall Lines Agreement; and the Sewer Systems Agreement of 30 April 1982 Between the Federal Ministry of Finance and the U.S. Forces Stationed in the Federal Republic of Germany).

3-12. WATER RIGHTS APPROVAL

a. In Germany the Federal Ministry of Finance has established guidelines for obtaining necessary water rights at federally-owned properties made available to the U.S. Forces. The *OFDs*, which are state representatives of the Federal Ministry of Finance, acquire the water rights approval on behalf of the U.S. Forces.

b. Water rights approval will be required when─

(1) When the existing water rights permit has expired.

(2) New construction measures are planned (hardstands, parking areas, maintenance areas and new buildings) and additional treatment of storm water or sewage requires the installation of POL separators or retention basins.

(3) The quantity of storm water or sewage water being discharged into a municipal sewer system or a receiving stream is increased because of new construction.

(4) The repair or upgrade of existing storm water or sewage system requires a new permit.

c. The draft permit must be coordinated with and agreed to by respective ASGs before a final water right permit (or decree) will be approved by the *OFD*.

(1) The *OFD* will send the ASG a copy of the draft water rights permit for review and approval. The ASG will review the draft permit and coordinate it with the respective BSB and appropriate project design and management agencies.

(2) Persons reviewing the draft permit should be familiar with applicable state and local standards.

(3) A project may have more than one water rights permit. For example, a sewage project could have both a construction and operations draft. The design manager for the project should receive the construction draft for review; the operations office (at the BSB level) should also receive a draft operations copy to review.

(4) After internal review and coordination, the ASG should inform the responsible *OFD* under what conditions the U.S. Army agrees to the permit.

3-13. WATERCRAFT
Shipboard or shoreside oil and water separation must be performed before ballast water is discharged from watercraft. Treatment and disposal of waste POL and wastes produced during the cleaning of fuel storage tanks and combustion engine components will be according to HN standards and TB 55-1900-206-14.

3-14. DREDGE AND FILL OPERATIONS

a. Dredge and fill operations include—

(1) Construction and other work involving excavation or fill in HN waters.

(2) Operations to modify navigable waters.

(3) Discharge of dredged or fill material.

b. In Germany, dredge and fill operations require a permit according to the Federal Water Act (*Wasserhaushaltsgesetz*).

3-15. TECHNICAL ASSISTANCE
Technical assistance on wastewater disposal procedures may be obtained from the following:

a. Commander, 10th Medical Laboratory, ATTN: AEMML-PM-ENV, CMR 402, APO AE 09180 (tel: 486-8556).

b. Director, United States Army Engineering and Housing Support Center, ATTN: CEHSC-FU, Fort Belvoir, VA 22060-5516.

CHAPTER 4
AIR POLLUTION ABATEMENT PROGRAM

4-1. SCOPE
This chapter prescribes USAREUR policy and procedures for controlling and managing air pollutant emissions. USAREUR activities will control the emissions of air pollutants to protect health and to meet applicable standards This chapter provides policy on controlling emissions and cooperating with HN authorities.

4-2. OBJECTIVES
The following are the objectives of the Air Pollution Abatement Program:

a. Identify and monitor stationary air pollution emission sources, determine types and amounts of pollutant emissions, and control pollutant levels according to applicable standards.

b. Procure commercial equipment that meets applicable standards and regulations and that does not present a health hazard.

c. Ensure that each piece of military equipment is operated and maintained according to applicable environmental standards.

d. Cooperate with HN authorities that have a legitimate responsibility to enforce or monitor applicable regulations. Cooperation will include providing readily available information on facilities, operations, and equipment that have a potential for releasing regulated air pollutants.

4-3. APPLICABLE STANDARDS

a. HN standards normally will be used. USAREUR facilities and sources of air pollutant emissions will be brought into compliance with applicable standards. ASGs will program requirements and corrective projects to meet existing and future standards in the RCS 1383 Report.

b. Nonbinding participation in the procedural aspects of HN standards is reasonable and will be encouraged. An example of this (in Germany) is information exchange under the Twelfth Regulation for Implementation of the Federal Emission Control Law on emergency response planning.

4-4. ELIMINATING OR MINIMIZING ATMOSPHERIC EMISSIONS OF OZONE-DEPLETING SUBSTANCES

a. Background.

(1) Chlorofluorocarbons (CFCs) and halons have been linked to the depletion of the earth's stratospheric ozone layer, which protects life from damage caused by excessive ultraviolet light. Concerns about this environmental hazard culminated in the Montreal Protocol of 16 September 1987, an international agreement to protect the ozone layer. It was ratified by the U.S. Senate and became effective on 1 January 1989. The Montreal Protocol restricts the consumption of five CFCs (CFC-11, CFC-12, CFC-113, CFC-114, and CFC-115) and three halons (Halon 1211, Halon 1301, and Halon 2402). The CFCs are used primarily as refrigerants and solvents, but also may be used as foam-blowing agents, lubricants, and drying agents. The halons are used only as firefighting agents.

(2) The Montreal Protocol mandates the following:

(a) CFC consumption must be frozen at 1986 levels by 1989.

(b) CFC consumption must be reduced by 20 percent by 1993.

(c) CFC consumption must be reduced by a further 30 percent by 1998.

(d) Halon consumption must be frozen at 1986 levels by 1992.

b. Goals. DOD Directive 6050.9 requires that procedures be established to eliminate the unnecessary release of ozone-depleting substances (ODS) (glossary) to the atmosphere. DOD and DA goals for phasing out ODS are to be attained within the times shown in table 4-1. DOD and DA goals have been developed for the following categories of use for ozone-depleting CFCs and halons:

(1) Category I (mission-critical uses). The highest-priority uses will be those that are mission critical. Mission-critical uses directly affect combat mission capability and include uses that are integral to combat mission assets or affect operability of these assets. Mission-critical uses include cooling operational assets and charging fire and explosion suppression systems in tactical vehicle crew compartments to protect the lives of mission-critical persons.

(2) Category II (essential uses). Essential uses include those applications that indirectly affect combat mission assets and have an auxiliary role in ensuring the operability of those assets. Essential uses include process cooling applications and charging portable fire extinguishers for electronic area protection.

(3) Category III (nonessential uses). Nonessential uses include uses for comfort cooling in family housing and installation support activities.

c. Policy.

(1) ODS are classified by the Army as controlled chemicals, and their use must be reported each year according to d below.

(2) ODS will be procured only when suitable alternatives cannot be obtained.

(3) ODS will be phased out according to table 4-1.

(4) Procurement of ODS will be carefully controlled and regulated to ensure that reliable usage and inventory information is prepared and reported each year.

(5) Local purchases of ODS will be reported to the integrated material manager (IMM) (glossary) as required by AR 710-2.

(6) Disposal of ODS by direct release into the atmosphere (for example, venting during maintenance) is prohibited.

(7) Operational, training, acquisition, development, maintenance, and testing procedures will be modified when necessary to eliminate or reduce emissions of ODS.

(8) Recycling and other conservation practices will be used to the maximum extent possible.

(9) Chemical substitutes with no or the lowest possible ozone-depleting potential (glossary) will be used when possible.

(10) Military specifications will be revised when necessary to reduce the use of ODS.

(11) Appropriate research and development (R&D) efforts will be undertaken to further the attainment of conservation technology and chemical substitutes.

(12) Active participation in joint efforts with the private sector will be pursued to foster R&D on alternatives to ODS.

(13) Chemical substitutes for military-unique uses of ODS will be evaluated for their toxicity in the Army's intended use.

(14) Close collaboration with the other military services will increase DOD efficiency in eliminating atmospheric emissions of ODS.

(15) The Army's total usage (glossary) of ODS will be reported each year and priorities will be established for allocating these substances in case of a supply shortage.

(16) Mission-critical uses will be identified and revised when necessary.

(17) Enough ODS will be available to complete mission-critical actions.

(18) A public awareness program will be developed to make the Army's environmental concerns and its resolve to minimize ODS emissions known.

(19) Army personnel will be trained in proper conservation techniques to be used for ODS.

(20) Resources will be budgeted and programmed to carry out the requirements of this chapter. Environmental-related requirements will be identified in the RCS 1383 Report.

d. Required Reporting.

(1) ASG commanders will report the amount of ODS acquired during the preceding calendar year. The report will include every activity and real property in the command.

(2) The report will be sent to the DCSENGR (AEAEN-ENVR) on DD Form 2530 by 15 January each year. The report will include a brief narrative (as an attachment) describing actions taken in the previous calendar year to meet DOD, Army, and USAREUR goals, and it will provide a POC.

(3) USAREUR oversight commands (USAREUR Reg 10-5) will send their reports through their applicable chains of command.

(4) ASG commanders will report ODS used in fire suppression systems in Army exchanges because these are military community real property items. The Army and Air Forces Exchange Service (AAFES) will report through the chain of command fire extinguishers sold in Army exchanges and air-conditioning recharge units in AAFES garages.

4-5. RESPONSIBILITIES

a. HQ USAREUR/7A staff officers and ASG, unit, and activity commanders will—

(1) Strive to meet DOD goals in table 4-1.

(2) Ensure that ODS recycling and other conservation practices are used to the greatest extent possible.

(3) Submit annual reports according to paragraph 4-4d.

b. The DCSOPS and DCSLOG will—

(1) Implement in USAREUR the procedures and initiatives developed by their HQDA counterparts.

(2) Modify existing operational procedures when necessary to eliminate or minimize ODS emissions.

(3) Provide a narrative by 15 January each year to the DCSENGR (AEAEN-ENVR) on actions taken in the previous calendar year to meet DOD and DA goals. The narrative will include a POC.

c. The DCSENGR (AEAEN-ENVR) will submit an annual report to HQDA on ODS for the preceding calendar year. The report will state specific amounts of substances acquired—

(1) Using local purchases.

(2) In nonmilitary-unique new systems (glossary) (for example, building air conditioning systems).

(3) By maintenance activities (for example, repair of air conditioning systems) either by contract or in house.

(4) By recycling.

NOTE: Excluded from reporting requirements are ODS already reported, because they have been provided either as Government-furnished material or as items requisitioned through the supply system.

4-6. SMOG ALERT POLICY

ASG commanders will prepare smog alert plans where requested by regional HN authorities. ASG commanders must coordinate the plans with HN authorities that announce smog alerts. There is no legal requirement for HN inspection

Table 4-1
DOD Goals for Reducing Releases, Procurement, and Use of ODS

	Phase I	Phase II	Phase III	Phase IV	Phase V
	Institute plans to reduce unnecessary releases during operation, maintenance, and training.	Institute plans to eliminate procurement and use.	Stop use in new procurements.	Phaseout of current applications to 50 percent of 1986 levels.	Reduce use in all applications to zero.
Goals for CFCs (note 1)					
Category III	Oct 90	Oct 92	Oct 96	Oct 96	Oct 2000
Category II	Oct 90	Oct 93	Oct 97	Oct 97	Oct 2000 (note 2)
Category I	Oct 90	Oct 93	Oct 98	Oct 98	when substitutes become available
Goals for Halons (note 1)					
Category III	Oct 90	Oct 90	Oct 90	---	Oct 95
Category II	Oct 90	Oct 90	Oct 90	Oct 95	Oct 2000 (note 2)
Category I	Oct 90	Oct 90	Oct 95	Oct 95	when substitutes become available

NOTES: 1. Phaseout goals depend on the development of suitable substitutes for ODS. To prevent interruption of supplies for mission-critical uses (cat I), these uses will be identified and plans initiated to recycle existing stocks and to initiate stockpiling of ODS to allow operations for the useful life of the weapons system.
2. Meet requirement from recycle or inventory.

or certification of USAREUR privately owned or military vehicles. Military vehicles on official dispatch are exempt from most smog alert bans, but no such privilege is extended to privately owned vehicles not meeting HN standards.

4-7. OPEN BURNING

Open burning is allowed only for firefighting. Training on use of open burning to fight fires will be conducted only in training facilities that keep environmental damage to a minimum. Only clean, uncontaminated lead-free fuels will be used. Open burning will not occur when weather conditions are unfavorable. Open burning of HMHW, POL, or trash is prohibited. The fire department will coordinate training with local environmental offices. Destruction of classified documents is covered in other publications.

4-8. HEATING SYSTEM EMISSIONS

USAREUR Regulation 420-49 prescribes procedures for new construction and heating plant upgrades.

CHAPTER 5
HAZARDOUS MATERIALS MANAGEMENT PROGRAM

SECTION I
GENERAL

5-1. SCOPE

This chapter prescribes policy and procedures for controlling and properly managing HMs. It also applies to tenant agencies on USAREUR-controlled property. ASG commanders will comply with the spirit and intent of AR 200-1, chapter 5; and this regulation, this chapter and chapter 6.

5-2. OBJECTIVES

The Hazardous Materials Management Program will help USAREUR—

a. Manage and control HMs in a way that will reduce hazards to human health and the environment.

b. Provide appropriate training to persons who use, store, transport, or manage HMs.

c. Reduce the use of HMs to the lowest practicable levels according to Army mission and HAZMIN requirements.

d. Ensure the Army's HAZCOM Program requirements and obligations are executed effectively.

5-3. HAZARDOUS MATERIALS MANAGEMENT PROGRAM REQUIREMENTS

a. ASG commanders will implement an HM management program that meets the objectives in paragraph 5-2. Specifically, ASG commanders will—

(1) Implement proper procedures for storing, handling, transporting, and disposing of HMs.

(2) Provide training to every person who will use, store, transport, manage, dispose of, or otherwise handle HMs.

(3) Implement and enforce related HAZCOM Program requirements.

(4) Use non-hazardous or non-toxic material substitutes and conserve resources when possible. This includes considering reasonable alternatives to avoid or reduce the use of HMs and the generation of HWs according to Army HAZMIN goals.

(5) Ensure tenant organizations comply with the spirit, intent, and requirements of this regulation.

(6) Program and budget resources to effectively manage, control, and minimize the use of HMs.

(7) Use the integrated pest management (IPM) concept to reduce the amount of pesticides used. ASG commanders will ensure pest management personnel are certified.

(8) Ensure that MSDSs for every HM stored, used, or otherwise handled are maintained and available.

b. ASG commanders will not accept for storage or disposal any material deemed toxic or hazardous that is not owned by DOD (para 5-4).

5-4. STORAGE AND DISPOSAL OF NON-DOD HAZARDOUS MATERIALS

USAREUR commanders and component elements on USAREUR-controlled property may not accept for storage or disposal any material that is toxic or hazardous that is not owned by DOD (Public Law (PL) 98-407 (10 USC 2692)) and AR 200-1, para 5-4). AR 200-1, paragraph 5-4, includes a prohibition on storing or disposing any non-DOD material that has been defined by HN standards as toxic or hazardous.

5-5. USAREUR PEST MANAGEMENT PROGRAM REQUIREMENTS

a. ASG commanders will establish and maintain effective and environmentally sound pest management and surveillance programs (AR 420-76 with USAREUR Suppl 1).

b. IPM principles will be used in USAREUR pest management programs. Pesticides will be used according to current label directions, applicable HN standards, and other directives governing their use.

c. Pesticides and pesticide-contaminated material will be stored, handled, used, and disposed of according to U.S. and applicable HN standards. Pesticides will be included in ASG and BSB spill contingency plans. Chapter 6 explains how to dispose of pesticides that are considered an HW.

d. Only persons trained and certified under a DOD or USAREUR plan for training and certification of pest applicators will apply or supervise application of pesticides. Contract pesticide applications will conform to AR 420-76 with USAREUR Supplement 1 and HN standards.

5-6. RADIOACTIVE MATERIALS AND NUCLEAR ACCIDENTS AND INCIDENTS

AR 200-1, paragraph 5-8, provides policy and procedures for nuclear accidents and incidents and the handling, use, and disposal of radioactive materials. In case of radio-logical accidents or incidents, contact the USAREUR Safety Office (370-8124) or 10th Medical Laboratory (486-8551) for help in assessing the extent of contamination and requirements for clean-up operations.

5-7. DISPOSAL OF EXCESS AND UNSERVICEABLE HAZARDOUS CHEMICAL STOCKS

a. The servicing DRMR-E office will dispose of excess and unserviceable hazardous chemical stocks according to the ASG environmental office requirements. This disposition will be effected using DD Form 1348-1 (DOD Single Line Item Release/Receipt Document).

b. Reuse or recycling of these items will be implemented to the greatest extent possible under HN standards.

5-8. TECHNICAL ASSISTANCE

a. Technical assistance on HM management, handling, and disposal in USAREUR may be obtained from—

(1) The Environmental Office, Office of the DCSENGR.

(2) The Safety Division, Office of the DCSPER.

(3) The Supply and Maintenance Division, Office of the DCSLOG.

(4) DRMR-E.

(5) The 10th Medical Laboratory.

b. Information on HN procedures for handling, transporting, and disposing of HMs may be obtained from local HN authorities responsible for waste management.

SECTION II
POLYCHLORINATED BIPHENYLS

5-9. GENERAL
This section explains USAREUR policy on the control and abatement of polychlorinated biphenyls (PCBs) during handling, use, storage, and disposal.

5-10. IDENTIFYING PCB ITEMS AND TRANSFORMERS

a. If an item or transformer carries a PCB label or a nameplate of a firm known to have manufactured PCB items, the item or transformer will be assumed to contain PCBs.

b. Items and transformers that are suspected of containing PCBs require testing. These tests may be coordinated with the 10th Medical Laboratory.

c. PCB-free items and transformers may be classified as such only when a negative (less than 50 parts per million (ppm)) PCB laboratory test is received, or when manufacturer documentation certifies the item to be PCB-free and the item is either hermetically sealed or the topping-off fluid can be proven to be PCB-free.

5-11. APPLYING AND REMOVING PCB ITEMS AND TRANSFORMERS

a. Existing PCB items will be replaced by PCB-free items.

b. PCB items and transformers will not be used in any application that poses a risk of contamination to food or feed.

c. PCB items and transformers in use or in storage should be separated from combustible materials. These items will be registered with the installation, BSB, and HN fire departments. The registration will identify both the location and size of PCB items and transformers.

d. PCB transformers will be equipped with electrical protection to reduce the potential of transformer failure that would result in a PCB release.

e. Capacitors containing more than 3 pounds (approx 1 liter) of PCB dielectric fluid may be used in restricted access areas as long as they are operational.

NOTE: The German standard, the Ordinance on Prohibition of PCBs, prohibits the use of PCBs after 31 December 1999. Germany also requires removal of capacitors with more than 1 liter capacity by 31 December 1993. Capacitors containing 1 liter or less of PCB dielectric fluid may remain in service until 31 December 1999.

f. PCB fluids removed during servicing will be disposed of through the servicing DRMO.

5-12. INVENTORY, INSPECTION, AND RECORD-KEEPING REQUIREMENTS
ASG commanders will ensure that records are developed and maintained on the maintenance history, inspections, and disposition of PCBs and PCB-related items (incl PCBs and PCB-related items at BSBs).

a. A regular inventory and inspection of PCB items will be conducted once each quarter, with at least 30 days between inspections.

b. The inventory will include, at least, the type of PCB item in use, manufacturer, date of manufacture, rating (voltage or KVAR), serial number, location, and ppm (if laboratory analysis has been conducted).

c. Every in-service PCB transformer will be inspected every 3 months (with at least 30 days between inspection).

d. PCB storage areas will be inspected at least once a month.

e. Records will be updated by 1 July each year. Records will cover the previous calendar year. These records will be maintained for at least 5 years after the facility ceases use of the PCB items.

5-13. MAINTAINING PCB ITEMS AND TRANSFORMERS

a. Transformers classified as PCB-contaminated electrical equipment will be serviced only with non-PCB containing dielectric fluid. Servicing personnel will ensure that further contamination is avoided by not using PCB-contaminated tools. Only a licensed or certified contractor

will perform the retrofilling of transformers with approved HN substitute agents.

b. Leaking PCB transformers must be repaired or replaced within 48 hours and the leaking PCB fluid containerized. PCB transformers waiting for repair or replacement will be inspected daily.

c. Transformer coils in PCB transformers will not be removed.

d. PCB items must be replaced as soon as a non-PCB replacements become available.

5-14. STORING PCB ITEMS AND TRANSFORMERS

a. PCB storage facilities must have a smooth, impervious floor with a containment berm that has no drains, valves, floor drains, expansion joints, sewer lines, or other openings. This will prevent a release from the bermed area.

b. Containment berms must be at least 6 inches high and the greater of the following:

(1) Able to contain at least twice the internal volume of the largest PCB article.

(2) Twenty-five percent of the total internal volume of every PCB containers stored.

c. Roofing and walls must be designed to keep out rainfall.

d. PCB storage areas must not be located in—

(1) A water protection zone.

(2) An area of increased seismic activity.

(3) A 100-year flood plan.

(4) An area at risk from other natural events.

e. PCB storage facilities must be inspected at least once a month.

f. Nonleaking and structurally-undamaged PCB-contaminated electrical equipment that has not been drained of free-flowing PCB dielectric fluid may be stored on pallets or raised platforms next to a storage area meeting the specifications in a through d above. However, this type of storage requires weekly inspections.

g. Containers used to store PCB items must meet HN standards. In the absence of HN standards, AR 55-355 will apply.

5-15. TEMPORARILY STORING PCB ITEMS AND TRANSFORMERS

Storage for up to 30 days from the date the item or transformer was removed from service is acceptable only under the following conditions:

a. Each nonleaking PCB item must be marked to indicate whether it is a PCB article or PCB equipment.

b. Leaking PCB articles and containers must be placed in a nonleaking PCB container with enough absorbent material to absorb fluid in the PCB article or equipment.

c. PCB containers that have PCBs at concentrations between 50 through 499 ppm will be marked to indicate less than 500 ppm PCB.

5-16. LABELLING PCB ITEMS AND CONTAINERS

a. PCB items and storage containers must be clearly labeled "PCB" and "Caution" if that item is one of the following:

(1) PCB transformer.

(2) Electrical equipment with more than 500 ppm PCB.

(3) Capacitor with more than 3 pounds (1 liter) of PCB dielectric fluids.

(4) A container with any PCB material.

b. Labels must be in English and the HN language.

c. Labels must warn against improper handling and disposal and must also provide a telephone number to call in case of spills or for handling and disposal questions.

d. Rooms, vaults, and storage areas containing PCB items must be clearly labeled according to a through c above.

5-17. PCB SPILL PREVENTION AND RESPONSE

a. ASG and BSB spill contingency plans will include provisions for PCBs and PCB items.

b. Spills of PCB liquids of 50 or more ppm will be immediately responded to and cleaned up according to HN standards or the following minimum requirements, whichever is more stringent:

(1) Surfaces that are in substantial contact areas (for example, playgrounds, sport fields, area with high frequency of public access) will be cleaned up to 10 micrograms per 100 square centimeters.

(2) Surfaces in other contact areas will be cleaned to 100 micrograms per 100 square centimeters.

(3) Contaminated soil in restricted access areas will be removed until the soil tests no higher than 25 ppm PCBs and will be backfilled (replaced) with clean soil with less than 1 ppm PCBs.

(4) Contaminated soil in unrestricted access areas will be removed to a depth of 10 inches or until the soil tests no higher than 10 ppm PCBs, and will be backfilled with clean soil with less than 1 ppm PCB.

c. Fire may cause PCB items to rupture. Measures should be in place to control and collect fire water runoff. The runoff will be tested for PCB content and be treated as PCB waste if PCB concentrations exceed 50 ppm.

5-18. DISPOSING OF PCB ITEMS AND TRANSFORMERS

a. Servicing DRMOs will dispose of PCB items according to DOD 4160.21-M.

b. The servicing DRMO will provide instructions for disposing of PCB items. Disposal standards are different in each HN. The DRMO will attempt to dispose of the PCB in the HN.

c. DOD-generated PCBs manufactured in the United States will be returned to the continental United States (CONUS) for delivery to a permitted disposal facility if HN or third-country disposal is not possible, is prohibited, or will not be managed in an environmentally sound manner.

d. ASG commanders will establish and maintain an audit trail that tracks the status of PCB items from the source to their disposal.

SECTION III
UNDERGROUND STORAGE TANKS

5-19. UST PROGRAM REQUIREMENTS

This section prescribes USAREUR policy and procedures to control and prevent pollution from POL products or hazardous substances stored in USTs. ASG commanders will─

a. Comply with HN standards. In the absence of HN standards, commanders will follow U.S. regulations and DOD and DA policy on managing USTs.

b. Maintain a master inventory of USTs in their commands.

c. Assume both responsibility and accountability of USTs that are on the installation's real property records.

d. Ensure BSB commanders keep an up-to-date UST inventory and a current record of UST inspections for USTs in their commands.

e. Ensure USTs on ASG real property records are maintained, tested, repaired, and replaced.

5-20. UST CONSTRUCTION CRITERIA

a. Newly installed USTs will meet HN standards or AR 200-1, paragraph 5-7c, requirements (whichever is stricter).

b. Pipelines associated with USTs will meet applicable HN standards or the following minimum requirements, whichever is more stringent:

(1) Pipelines may be metallic or nonmetallic. To avoid corrosion, however, only nonmetallic pipes may be used underground unless cathodic corrosion protection is used.

(2) UST steel pipes will have a protective cover of pressure-sensitive organic plastic tape or coating used to protect the steel UST.

(3) Leak detection will be incorporated in the double walls of the pipe. Leak detectors will be placed at low points throughout the pipeline network where accumulation will occur if there is a leak. Audible and visual alarms will be used.

5-21 UST TESTING REQUIREMENTS

a. Periodic testing of the integrity of USTs and associated piping is essential to prevent and detect potential leaks.

b. Inspections and tests should be conducted at least every 5 years and at least 1 year before the end of a USTs estimated lifespan.

c. ASG commanders will be aware of and comply with HN standards for routine testing and inspections that may be more frequent than those in b above. More frequent testing may be needed in environmentally sensitive areas (for example, water protection zones).

d. Testing must be performed by an authorized HN agency or firm or by qualified U.S. experts.

e. New USTs will be tested and inspected before they are operated.

f. Existing USTs will be tested and inspected under the following circumstances:

(1) When there is a major change in UST operation.

(2) For any UST that is reactivated after 1 year or more of not being operational.

5-22. USTS REMOVED FROM SERVICE

a. Every UST taken out of service will be removed from the ground within 1 year.

b. Removal of a UST will be accompanied by a detailed assessment of environmental damage caused by leaks, spills, or overall operation of the tank and associated piping.

c. Exceptions to the requirement for removal may be obtained from the DCSENGR (AEAEN-ENVR) when HN standards are environmentally equivalent. An example of an environmentally equivalent measure would be the complete emptying and cleaning of UST by a licensed firm and the backfilling of the UST with inert material.

5-23. LEAKING UST REMEDIAL ACTION REQUIREMENTS

The following measures will be implemented for any leaking UST—

a. The leaking UST will be emptied immediately.

b. The leaking UST must be taken out of service and removed from the ground.

c. Environmental damage caused by leakage must be assessed.

d. Activities connected with the leaking UST will be coordinated with USAREUR and appropriate HN authorities.

5-24. PROTECTED AREAS

a. ASG and tenant agency commanders on USAREUR-controlled property will comply with restrictions designated by HN authorities. For example, in Germany, this could involve areas marked for special environmental consideration, such as a water protection zone.

b. Installation of USTs in sensitive environmental areas will be avoided.

c. Work performed in a sensitive environmental area will be coordinated with HN authorities.

CHAPTER 6
SOLID WASTE AND HAZARDOUS WASTE MANAGEMENT PROGRAM

SECTION I
OVERVIEW

6-1. SCOPE

This chapter prescribes USAREUR policy and procedures for managing SHW (incl resource recovery, recycling, waste reduction, and training programs) and applies to those activities that generate such wastes on USAREUR-controlled property (incl tenant agencies).

6-2. OBJECTIVES

The objectives of the Solid Waste and Hazardous Waste Management Program are to promote the protection of public health and the environment and to conserve valuable material and energy resources. Material resources will be reused, recycled, and reprocessed whenever possible. ASG commanders will comply with requirements in AR 200-1, chapter 6, and this regulation. ASG commanders will—

a. Use proper waste management practices (incl generation, treatment, storage, disposal, and transportation) that will protect public health and the environment.

b. Reduce the need for corrective action by closely managing SHW.

c. Reduce the volume or quantity and toxicity of waste as much as possible before disposal. Reduction will be done using economically practicable methods that emphasize source reduction, recycling, and reuse.

d. Procure material so that the enditem can be economically restored, reconstituted, or converted to other uses.

e. Program and budget resources to effectively execute the requirements of the Solid Waste and Hazardous Waste Management Program.

6-3. PROGRAM REQUIREMENTS

a. Commanders of ASGs, BSBs, and tenant organizations (such as DRMOs) will—

(1) Be aware of and comply with applicable HN standards (substantive and procedural) for generating, treating, storing, disposing, and transporting SHW.

(2) Ensure program and budget requests identify resource requirements to manage SHW programs (incl waste minimization) and to achieve and maintain compliance.

(3) Reduce the generation and land disposal of SHW by promoting waste minimization.

(4) Generate, transport, treat, store, and dispose of wastes in a manner that protects public health and the environment. The following are examples of wastes that fall under this program:

(a) Chemical warfare agents.

(b) Explosive ordnance.

(c) Hazardous chemical stocks.

(d) Medical, dental, and veterinary supplies.

(e) Pesticides.

(f) Propellant, explosive, and pyrotechnic materials (PEP).

(g) Radioactive materials.

b. ASG commanders will initiate corrective action for any violation of SHW standards within 6 months of a written notice of noncompliance from a bona fide HN regulatory agency.

6-4. DISPOSAL OF HW

a. HW will be disposed of according to DRMO and HN standards.

b. DRMR-E and DRMO services will be used for HW disposal unless extenuating circumstances would justify using an alternate source (one that uses a more cost-effective and efficient method). Requests for exceptions to the policy must be sent to the DCSENGR (AEAEN-ENVR) and specifically state that contracting and disposal criteria used are at least as stringent as those used by DRMR-E and DRMOs.

c. The DEH will recommend to the ASG commander the most cost-effective and efficient methods to handle, store, treat, or dispose of HW.

d. ASG commanders will ensure that HW treatment and disposal options stress waste minimization techniques (for example, recycling, energy recovery, detoxification).

e. ASG and BSB commanders will turn in excess HMs through the supply system before using DRMO services.

f. Contracts for HW disposal will be reviewed by the ASG DEH and will be approved by the contracting officer. This includes contracts provided by DRMO.

g. A hazardous waste profile sheet (HWPS) will accompany HW before disposal. HW that cannot be identified by either user's knowledge of the waste or details of the physical, chemical, and other descriptive properties or processes that created the HW will be analyzed by a laboratory.

6-5. EXPLOSIVE ORDNANCE AND PEP MATERIALS

a. ASG commanders and heads of USAREUR elements will refer to AR 200-1, paragraph 6-8, and other regulations (incl AR 385-64 and TM 9-1300-206) that apply to explosive ordnance and PEP materials.

b. Open burning or open detonation of unserviceable or obsolete PEP may be done only in non-urban areas according to applicable HN standards and Army policy.

(1) Measures to safeguard health and the environment will be taken.

(2) Environmental, safety, and fire departments will be notified before open burning or detonation.

c. Munitions and ordnance will be disposed of according to AR 200-1, paragraph 6-7, AR 385-64, and TM 9-1300-206.

6-6. PESTICIDES

Pesticides will be disposed of according to AR 420-76 and applicable HN standards. Pesticides, pesticide-related wastes, pesticide containers, and residues from pesticide containers will be disposed of according to label instructions.

6-7. MEDICAL, DENTAL, AND VETERINARY SUPPLIES AND HEALTH CARE FACILITY WASTES

AR 200-1, paragraph 6-11, prescribes policy and procedures for waste in existing and new medical, dental, and veterinary facilities in USAREUR.

6-8. FUNDING SHW DISPOSAL

a. ASG commanders (thru their DEHs) will—

(1) Identify HMHW generators (glossary) in the ASG (tenant and host) and the types and quantities of wastes generated.

(2) Prepare, in coordination with the generator, an estimate of the annual cost of disposal for each the generators in the ASG.

(3) Prepare the portion of the ASG budget that deals with HMHW disposal. The DEH will budget for HMHW disposal costs for USAREUR activities and units in the ASG and act as the ASG HMHW disposal funds manager. HMHW disposal requirements will be included in the RCS 1383 Report.

(4) Provide a DD Form 446 (Military Interdepartmental Purchase Request) (MIPR) to DRMR-E to cover the estimated costs of HMHW disposal from every source in the ASG. The MIPR will be provided at the beginning of the fiscal year after USAREUR receives current fiscal year funding guidance. This will ensure that upfront funding is available to DRMR-E when possible. More MIPRs will be provided when required. MIPRs will identify the ASG Department of Defense activity address code (DODAAC) and will indicate each installation, activity, and unit whose HMHW disposal is being funded.

(5) Coordinate HMHW disposal actions in the ASG (incl development and implementation of turn-in procedures, documentation of waste generation and disposal, receipt and processing of billings from DRMR-E, monitoring expenditures of USAREUR and tenant organizations, and monitoring performance of direct removal contractors).

(6) Provide quarterly management reports to generating activities and units and to their respective senior tactical commanders on the generation and disposal of HMHW and the associated disposal costs.

(7) Help HMHW generators find ways to reduce their HMHW.

b. HMHW generators will—

(1) Coordinate with the supporting ASG DEH to determine the types, quantities, and estimated disposal cost of HMHW generated.

(2) Coordinate with the supporting ASG DEH on HMHW disposal actions to ensure that proper procedures are followed and that enough funds are available before turn-in or disposal.

(3) Take steps to reduce their use and generation of HMHW.

c. For HMHW chargeback procedures, tenant organizations are non-USAREUR activities and units in and receiving HMHW disposal support from a specific ASG. Tenant organizations will—

(1) Include funding for HMHW disposal in their budgeting process as a cost of doing business.

(2) Reimburse the supporting ASG DEH for costs associated with the disposal of their HMHW.

d. ASG senior tactical commanders and tenant organization commanders will review the HMHW management reports from the ASG DEHs on activities and units under their commands and will take steps to ensure the proper minimization of HMHW use, generation, and disposal.

6-9. TECHNICAL ASSISTANCE

a. In USAREUR, technical assistance on SHW handling will be provided by—

(1) DCSENGR (AEAEN-ENVR).

(2) DRMR-E.

(3) 10th Medical Laboratory.

b. AR 200-1, paragraph 6-16, lists other sources for technical assistance.

SECTION II
PROGRAM ELEMENTS

6-10. GENERAL

ASGs will develop and implement a comprehensive HW management program that includes procedures to ensure HW is identified, handled, stored, transported, and disposed of in an environmentally sound manner.

6-11. HWGA DOCUMENTATION REQUIREMENTS

HWGAs will—

a. Establish an HWPS for each HW stream.

(1) Information for the HWPS may come from knowledge of the materials and processes that generate the waste or from laboratory analyses.

(2) HWGAs will identify the inherent hazardous characteristics associated with a waste in terms of physical (solid, liquid, contained gases) and chemical (ignitable, corrosive, reactive, toxic) properties. The descriptive properties should be measurable by available standard testing procedures.

b. Prepare off-installation HW shipments according to HN transportation standards and USAREUR Regulation 55-4.

(1) Requirements may include placarding, marking, containerization, and labeling.

(2) HW destined for international transport will be prepared according to international standards.

(3) In the absence of HN standards, international standards will be used.

c. Ensure a manifest is completed to establish an audit trail from the point of HW origin to ultimate disposal. HN forms will be used when applicable; otherwise, DD Form 1348-1 may be used. Manifests will include at least the following:

(1) Generator's name, address, and telephone number.

(2) Transporter's name, address, and telephone number.

(3) Destination name, address, telephone number.

(4) Description of waste.

(5) Total quantity of waste.

(6) Date of shipment.

(7) Date of receipt.

d. Obtain a signed copy of the manifest (c above) from the servicing DRMO or contractor making a direct HW pickup (applies only to generators using the DRMR-E).

6-12. HW ACCUMULATION POINT REQUIREMENTS

a. HW accumulation points (HWAPs) that accommodate multiple waste streams will segregate each waste stream. As a minimum, waste streams will be segregated into ignitable, corrosive, reactive, and toxic categories.

b. Containers provided by a direct-disposal contractor for a specific HW will be used at the HWAP.

c. Warning signs in English and the HN language will be posted at the HWAP. The signs will identify the hazard characteristics of the wastes being stored at the site.

d. Accumulation of HW at the HWAP that goes beyond the capacity of the containers provided by a direct-disposal contractor or other appropriate collection container (for example, 55-gallon drum) will be avoided.

e. Containers that hold free liquid HW should be provided with secondary containment that provides for the capacity of the largest container or 10 percent of the total volume at the HWAP (for example, 55-gallon drums with liquid HW may be placed in a drip pan).

f. HWAP containers should be closed at all times to keep rain out. A tarpaulin may be used to protect containers from the elements.

g. HWAPs will be inspected each week for leaks, cleanliness, and proper separation of HWs.

6-13. HW STORAGE AREA REQUIREMENTS

HW storage areas (HWSAs) will—

a. Be established for long-term storage of HW before their ultimate disposition.

(1) HW stored at BSB HWAPs should be sent to the HWSA. Ideally, the HWSA will be located at the servicing DRMO.

(2) To prevent creation of an HWSA, BSBs will speed the removal of nonroutine HWs from the HWAP.

b. Be located in areas where the risk of environmental contamination through accidental release is minimal. HWSAs will not be located in areas—

(1) Subject to significant seismic activity.

(2) With a 100-year flood plain.

(3) At risk from other natural events (for example, rock slides).

c. Be constructed and designed to prevent fires, explosions, or uncontrolled releases of HWs into the air, soil, or water that could threaten human health or the environment. Applicable HN standards will be used in the construction and design of HWSAs. In the absence of HN standards, the following minimum criteria will be used:

(1) A smooth, continuous, and impervious flooring material will be used.

(2) The HWSA will have roof and walls that will keep rain out.

(3) The secondary containment will consist of at least a 6-inch berm with a capacity to hold 10 percent of the total HW volume or 100 percent of the largest container in the HWSA, whichever is greater.

(4) Drains, valves, expansion joints, floor drains, sewer lines, and other openings will be constructed to prevent any release from the secondary containment.

(5) Aisle space must allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of the HWSA during an emergency.

(6) Water of adequate pressure and volume must be available to supply waterhose streams, foam-producing

equipment, automatic sprinklers, or water spray systems. Fire water runoff collection systems must be present (for example, basin, lagoon) to prevent groundwater contamination if there is a fire.

(7) Temperatures will be controlled to maintain temperatures between the freezingpoint and flashpoint of the HW being stored.

d. Will have at least the following equipment on hand:

(1) Internal communication equipment to alert personnel and provide immediate emergency instruction.

(2) External communication to base security, fire department, and emergency response team.

(3) Spill control and decontamination equipment.

(4) Portable fire extinguishers and firecontrol equipment appropriate for the material in the HWSA.

(5) Eyewash and shower equipment.

e. Be secured to prevent the unknowing or unauthorized entry of persons or animals. The security system must include at least the following:

(1) An artificial barrier (such as a fence or wall) that completely surrounds the HWSA.

(2) An access-control system that provides a locked gate when the HWSA is not in operation.

(3) A posted POC for 24-hour access to the HWSA. (This could be the staff duty officer or installation coordinator.)

f. Have signs that say "*DANGER* Unauthorized Personnel Keep Out" or other words to that effect. These signs must be posted at each entrance to the HWSA and be legible from a distance of 25 feet. The sign must be posted in both English and the HN language.

6-14. HW STORAGE PRACTICES

a. HW will be stored in a compatible manner. The compatible storage categories will consist of ignitable, reactive, corrosive, and toxic.

b. Each of the four categories of waste will be separated by a wall or other impervious barrier.

c. Secondary containment of each category also will be made by an impervious barrier.

d. Shelves that hold HW should not exceed 2 meters (6.5 feet) in height, and no more than one pallet will be stacked on top of another.

e. Areas where ignitable or reactive HWs are stored must be located at least 15 meters (50 feet) inside the installation boundary. There will be no smoking within 50 feet of this HWSA and signs will be posted to that effect.

f. A comprehensive hands-on inventory of stored HW will be conducted twice a year. The inventory records will be updated each month.

6-15. HW CONTAINER MANAGEMENT

a. Containers will be placed on a steel grid or pallets for ease of inspection for leaks.

b. Containers used for HW storage will meet HN standards or at least the following requirements, whichever is more stringent:

(1) Containers holding HW will be in good condition, free from severe rust, bulges, or structural defects.

(2) Containers used to store HW (incl overpack containers) must be compatible with the material stored.

c. Containers always will be closed tightly, except when adding or removing HW.

d. Handling, storing, and opening the containers in a way that may cause a leak or rupture will be avoided.

e. Labeling requirements will be the minimum required by DRMO (HW, shipping name, national stock number, United Nations number, accumulation date, and the name and address of the generator) and include a HWPS.

6-16. HWSA INSPECTIONS

HWSA inspections will be conducted every week according to HN requirements and include at least the following:

a. Inspection for leaking containers and for the deterioration of the containers.

b. Inspection for the proper labeling of HW containers.

c. Inspection of the integrity of the secondary containment and for the accumulation of any leaking HW.

6-17. HW RECORDKEEPING REQUIREMENTS

a. An up-to-date inventory of HW handled at the HWAP and HWSA will be maintained. The HW inventory log will include the following information:

(1) Name and address of the generator.

(2) Description and hazard class of the HW.

(3) Number and types of containers.

(4) Quantity of HW.

(5) Date stored.

(6) Storage location.

(7) Disposition information (incl dates received, sealed, and transported), and transporter used.

b. The HW inventory log will be located so that it is available to emergency personnel in case of a fire or spill. The log will be kept until the facility is closed.

c. Records of HWAP and HWSA inspections will be kept for at least 3 years.

d. Manifests of incoming and outgoing HW will be maintained for at least 3 years.

e. Waste analyses and characterization records will be kept until the facility is closed.

6-18. HWMB

a. ASG commanders will establish an ASG HWMB to manage the ASG HW program.

b. The HWMB will establish the ASG HWMP.

c. The HWMB will meet at least twice a year to discuss HW issues and provide recommendations to solve HW problems.

d. The ASG HWMB will have representatives from at least the following:

(1) ASG safety office.

(2) ASG DEH office.

(3) DOL office.

(4) Resource management office.

(5) Judge advocate general office.

(6) Preventive medicine office.

(7) BSB.

6-19. HWMP

The ASG commander will establish a written HWMP to provide command personnel with procedures and responsibilities to manage HW according to USAREUR and HN laws and regulations. The HWMP will—

a. Be provided to every facility person and tenant organization that generates, handles, transports, or disposes of HW.

b. Include the responsibilities of organizations and persons in generating, handling, transporting, treating, storing, and disposing of HW.

c. Establish guidelines for an HW inventory log.

d. Identify where HWAPs and HWSAs are in the ASG.

e. Address how to prepare HW for disposal according to DRMR-E and HN standards. Disposal information will include the following:

(1) Onpost transportation.

(2) Offpost transportation.

(3) Procedures to analyze HW.

(4) Packing and labeling requirements.

(5) Documentation requirements (for example, DD Form 1348, HN manifests).

f. Include HWAP and HWSA inspection procedures to reduce or avoid any release of HW to the environment.

g. Address security system requirements for HWSAs.

h. Reference applicable—

(1) ASG SPCCP requirements.

(2) U.S. and HN standards.

(3) Examples of permits, permit applications, manifests, and other documentation (incl preparation procedures).

i. Identify HW training requirements for personnel. This will include identifying positions involved with HW handling and storage and the associated training requirements.

j. Include provisions to implement a HAZMIN program (incl current and historic waste minimization projects).

k. Include special funding requirements (such as the chargeback procedures for HW disposal).

SECTION III
TRANSPORTATION OF HW

6-20. REQUIREMENTS

HW will be transported according to USAREUR Regulation 55-4 and applicable HN standards.

a. An HW manifest that provides a complete audit trail from point of origin to ultimate disposal will always accompany HW. HN forms will be used when applicable; otherwise, a DD Form 1348-1 may be used. The manifest must identify at least the generator, transporter, and facility receiving the HW for ultimate disposition.

b. For this regulation, the BSB commander is considered the generator of the HW. The BSB commander or a designated representative will complete the HW manifest. The designated representative must be a commissioned officer, warrant officer, or noncommissioned officer. Civilian personnel (U.S. citizen or LN) will not sign the HW manifest.

c. BSB commanders will ensure HW is received by the facility designated on the manifest.

d. The generator's copy of the manifest will be kept on file for at least 3 years.

6-21. ONPOST TRANSPORTATION

a. The HWGA will transport the HW inside the U.S.-maintained facility to either an HWAP or an HWSA. This will be performed as safely as possible and according to the following:

(1) Containers will be sturdy and leak-free.

(2) Containers will be properly labeled as HW (identify the type and category of waste).

(3) The HW will be accompanied by an MSDS or HWPS.

(4) HW containers will be secured to prevent falling from the vehicle during transport or breaking loose if there is a sudden stop or accident.

b. Transportation routes and vehicles used for transporting HW will be selected to ensure maximum safety and to reduce exposure in case of an accident.

c. Transportation routes and vehicles will be inspected by the DOL and safety offices to ensure they meet HN and Army standards.

d. No HW will be delivered without notification and approval from the receiving agency. A copy of the MSDS or HWPS will accompany the notification.

e. Transfer of HW from one vehicle to another will be kept to the minimum to reduce spills.

f. Specific onpost transportation requirements will be addressed by the installation DOL and included in the ASG HWMP.

6-22. OFFPOST TRANSPORTATION

a. Offpost transportation will be according to applicable HN standards. In the absence of HN standards, USAREUR Regulation 55-4 will apply.

b. The ASG commander, through the DOL, will ensure that offpost transportation of HW meets with HN standards and USAREUR Regulation 55-4.

c. Requirements for onpost transportation (para 6-21) will be met.

d. A manifest (in Germany, *Begleitschein*) will be signed by a designated representative of the BSB commander. The manifest will certify the composition of the HW. This manifest will be an HN form; in the absence of appropriate HN forms, a DD Form 1348-1 will be used. The designated representative must be a commissioned officer, warrant officer, or noncommissioned officer. Civilian personnel (U.S. citizen or LN) will not sign the HW manifest.

e. Exports of HW from outside CONUS (OCONUS) to CONUS must include a manifest that shows the name and address of the ASG commander and the name, address, and U.S. Environmental Protection Agency (EPA) identification number of the facility in the U.S. designated to receive the HW.

SECTION IV
WASTE MINIMIZATION

6-23. POLICY

HQDA and USAREUR policy is to reduce the quantity or volume and toxicity of wastes from Army operations and activities where economically practical and environmentally necessary. Emphasis will be placed on source reduction methods, especially with respect to HW. HW generation may cause short- and long-term liability in cost, environmental damage, and mission services.

6-24 HAZMIN PROGRAM

ASG commanders will implement a HAZMIN program that stresses the Army's goals to reduce those wastes deemed hazardous by U.S. or HN standards. The program will include measures to reuse, reduce, and recycle HW. The program will include at least the following HAZMIN procedures:

(1) Substitute more environmentally friendly materials for HMs, (for example, ethyl or methyl alcohol for cleaning electrical equipment rather than trichloroethylene).

(2) Procure HMs only in those quantities required to perform the mission.

(3) Use HMs procured and emphasize reduction in disposal of partially used HMs.

(4) Return HMs to the supply system instead of disposing of them as HW.

(5) Find ways to reuse HMs (for example, household hazardous waste (HHW) can be collected from local residents and redistributed to residents moving into the community through the self-help shops).

(6) Promote source separation at the generator level and find local recycling companies willing to accept the segregated wastes (for example, solvent recycling, recycling of fluorescent lighting tubes).

(7) Incorporate recycling and treatment methods on site rather than off site when possible.

6-25. AUDITS, INSPECTIONS, AND SURVEYS
AR 200-1, paragraph 6-6d, provides policy and procedures for conducting audits, inspections, and surveys of HAZMIN programs.

6-26. FUNDING
AR 200-1, paragraphs 6-6e and f, prescribes policy on potential funding of HAZMIN programs and projects. The ASG commander must program, budget, and fund HAZMIN programs using appropriate operating accounts, procurement accounts, and other available resources.

6-27. TECHNICAL ASSISTANCE

a. Assistance in establishing a HAZMIN program may be obtained from─

(1) 10th Medical Laboratory.

(2) Army Environmental Hygiene Agency.

(3) Construction Engineering and Research Laboratory.

(4) U.S. Army Toxic and Hazardous Material Agency.

b. Requests for assistance (a above) will be sent through the DCSENGR (AEAEN-ENVR).

SECTION V
HW REPORTING REQUIREMENTS

6-28. USAREUR REPORTING REQUIREMENTS
ASG commanders will submit an annual report identifying each specific HW stream that has been generated in their commands. The report will be sent to the DCSENGR (AEAEN-ENVR) by 1 April each year. The report will cover the previous calendar year. The ASG report will address the subordinate BSBs and their installations and will include at least the following:

a. Organizations generating HW.

b. Identification of HW generated (name, manufacturer, national stock number).

c. Quantity of HW generated (in metric tons).

d. Disposition of the various waste streams (for example, recycled, disposed of by DRMO, shipped back to United States).

e. HAZMIN initiatives and achievements. This section should include a narrative describing─

(1) Efforts taken in the previous year to reduce the volume and toxicity of wastes generated.

(2) The changes in volume and toxicity of waste actually achieved during the past year compared to previous years.

f. Specific problems in managing HW.

6-29. HN REPORTING REQUIREMENTS
ASG commanders will comply with HN standards for HW reporting.

SECTION VI
SOLID WASTE MANAGEMENT

6-30. GENERAL

a. Organizations that generate, collect, store, treat, or dispose of solid waste must comply with HN standards and AR 420-47.

b. Solid waste programs at the ASG and BSB levels will be managed by the element that is functionally responsible for refuse collection and disposal.

c. Reusable or marketable materials may be sent to the servicing DRMO for ultimate disposition or may be

managed by the ASG commander as part of a resource recovery program.

d. The ASG commander will ensure that the volume and quantity of solid waste is reduced according to DA and USAREUR policy and applicable HN standards.

e. The ASG commander will encourage the use of resource recovery, recycling, and reuse.

6-31. STORAGE OF SOLID WASTE
Solid wastes will be stored in a clean and environmentally safe manner. Solid wastes and materials separated for recycling will be stored so that they—

a. Are not a fire, health, or safety hazard.

b. Do not provide food or harborage for disease vectors (flies, mosquitoes, and rodents).

c. Are appropriately contained to prevent spills and bundled to prevent scattering.

6-32. TREATMENT AND DISPOSAL OF SOLID WASTE
Solid wastes will be treated and disposed of according to HN, Army, and USAREUR standards and be coordinated with the ASG environmental office. AR 420-47 has specific guidance on solid waste disposal.

SECTION VII
SEPARATE OR RECYCLE TRASH PROGRAM REQUIREMENTS

6-33. TRASH SEPARATION PROGRAM

a. The objectives of the USAREUR Separate or Recycle Trash Program are to—

(1) Reduce waste.

(2) Increase recycling from ordinary recyclable items (such as glass, paper, cardboard, metal cans, and plastics).

b. ASG commanders will ensure that local HN trash separation and recycling standards are met. Efforts beyond local law should be based on economic considerations.

6-34. HHW PROGRAM
The HHW Program applies to domestic wastes that are hazardous specifically to human health or the environment, are explosive or flammable, or contain infectious materials. Typical HHW items include products from, but not limited to, the following categories:

(1) Antifreeze.

(2) Batteries.

(3) Cleaning agents.

(4) Lubricants.

(5) Motor oils.

(6) Other carcare products.

(7) Paints.

(8) Pesticides.

(9) Polishes.

(10) Wood and metal paint strippers.

(11) Wood cements.

b. HHW items will be disposed of according to appropriate methods (for example, placed in ASG or HN collection bins designated for disposal of such items).

SECTION VIII
HW TRAINING

6-35. SCOPE
ASG commanders will ensure appropriate training is provided to every person assigned duties related to storing, transporting, disposing of, or otherwise handling HW. HW training is required for DOD persons (U.S. military, civilian, and local national) whose duties involve actual or potential exposure to HW. This includes persons performing any of the following tasks:

a. Collecting HW samples.

b. Completing HW recordkeeping (manifests, HW logs, HWPSs).

c. Conducting HW-related activities.

d. Determining which wastes are HW.

e. Handling and storing HW containers.

f. Inspecting, managing, or working at an HWAP or HWSA.

g. Performing HW clean-up (spill response).

h. Transporting HW.

6-36. USAREUR-SPONSORED HW TRAINING
USAREUR sponsors HW training courses every year. These courses include basic HW training, advanced courses, HM driver, and annual refresher courses required by U.S. and HN standards. USAREUR-sponsored courses include—

a. The Basic HW Training Course for First-Line Supervisors, which is designed to give first-line supervisors the skills and resources to train their in-house personnel in how to handle, store, transport, and dispose of HW properly. This course uses a train-the-trainer approach and provides a way to perpetuate the training in an organization.

b. The Advanced Course, which is designed specifically for ASG and BSB environmental staffs and other staff and command-level management persons involved in HW management (for example, DOL, safety, judge advocate general).

c. An annual refresher course. Persons performing HW-related duties must take an annual refresher course. This course may be conducted as in-house, basic HW training; basic HW training for first-line supervisors; or advanced HW training.

d. Hazardous cargo driver-instructor course. Provides instructor drivers with a knowledge of European, German, and USAREUR hazardous cargo driver standards.

6-37. HW TRAINING RECORDKEEPING
ASG commanders will document and maintain records of HW training for persons involved with HW (para 6-35). Records will be kept for at least 3 years after termination of duty of persons involved with HW.

CHAPTER 7
ENVIRONMENTAL NOISE MANAGEMENT PROGRAM

7-1. SCOPE
This chapter prescribes policy and procedures for establishing a noise management program in USAREUR. The policy and procedures apply only to noise affecting HN communities or individuals, and do not apply to noise associated with occupational health or workplace noise levels.

7-2. POLICY

a. Noise management will be incorporated into the way USAREUR does business. ASG commanders will develop and implement an ASG noise management program that includes at least the elements in paragraphs 7-4 through 7-6.

b. An ASG noise management program also may include other elements that the ASG commander determines are appropriate, consistent with the policy and procedures in this regulation. ASG commanders and subordinate elements will—

(1) Conduct training, operational activities, and base operations functions (incl housing and recreational activities) to minimize adverse noise effects on HN citizens, consistent with the need to maintain mission capability.

(2) Be aware of and respect HN customs and standards on quiet hours.

(3) Uphold existing noise-related agreements with local HN officials.

(4) Establish a noise management program according to this regulation and AR 200-1, paragraph 7-1d.

7-3. ASG NOISE MANAGEMENT PROGRAM ELEMENTS
ASG commanders will establish a noise management program that includes at least each of the following:

a. An ASG noise management committee (para 7-4).

b. Noise complaint management procedures (para 7-5).

c. Review of HN land use planning documents (para 7-6).

7-4. ASG NOISE MANAGEMENT COMMITTEE

a. The ASG noise management committee will oversee and coordinate the ASG noise management program and other noise-related issues. The noise management committee will be a subcommittee of the EQCC (para 12-8).

b. The noise management committee will be chaired by the DEH and include representatives from the following offices:

(1) Environmental management.

(2) Master planning.

(3) Plans, operations, and training.

(4) Preventive medicine (if available).

(5) Public affairs.

(6) Staff judge advocate.

c. The ASG noise management committee will meet at least twice a year to review the ASG noise management program and to—

(1) Review the effectiveness of noise complaint management procedures (para 7-5). The committee will periodically assess complaints to identify patterns, trends, and recurring problems that might require corrective action, and to recommend such action to the ASG commander.

(2) Review the planning of proposed construction projects, training exercises, and real estate and stationing actions to ensure noise issues are taken into account in the planning process. When appropriate, the committee will investigate and recommend noise reduction actions.

(3) Develop for the ASG commander recommendations and revisions for local policies affecting day-to-day operations that will reduce negative noise effects. Policies that have been publicly coordinated with local HN officials will be sent to the DCSOPS and DCSHNA for approval. The committee will ensure that an updated file of noise agreements is available to the ASG commander and that existing noise-related agreements or policies developed with local HN officials are consistently and consecutively upheld (from commander to commander, after change of command).

(4) Monitor land development plans, programs, and projects in the areas adjacent to ASG installations and coordinate with HN officials when appropriate (para 7-6).

(5) Coordinate with the PAO to develop recommendations for the ASG commander on implementing an aggressive command information program to inform U.S. personnel about noise reduction efforts and the need to incorporate concern for noise reduction into every facet of onduty and offduty Army activities (para 7-5).

(6) Ensure existing forums (for example, community relations advisory council, master planning boards) are used to deal with noise issues.

(7) Receive progress reports from noise management committee representatives (normally master planning and environmental management) charged with implementing paragraph 7-6, and review and comment on HN proposed land-use decisions.

(8) Ensure key training, operations, executive, and technical staffs that are involved in noise issues are adequately trained in noise management policies, procedures, and techniques.

7-5. NOISE COMPLAINT MANAGEMENT PROCEDURES

a. ASG commanders will establish noise complaint management procedures according to USAREUR policy. ASG commanders may receive assistance with their noise complaint public affairs from the USAREUR PAO. The procedures will provide for prompt and accurate information to be provided to HN governments and the local populace.

b. Noise complaint management procedures must anticipate and respond to noise problems. Anticipating problems requires—

(1) Actively providing information to prevent complaints.

(2) Responding to problems or complaints with courteous and timely answers.

c. ASG commanders will carry out an aggressive public information program to inform the HN populace and local government about noise reduction efforts and to improve public understanding of Army activities.

d. Each ASG commander will institute a standard process for handling and responding to noise complaints. The process will ensure that at least—

(1) A log is maintained of noise complaints.

(2) Complaints are investigated without delay.

(3) The complainant is made aware of the concerned installation's mission and that every effort will be made to correct the problem (mission permitting).

(4) Complaints are sent to the office responsible for the type of activity that caused the noise complaint. The activity will provide the ASG PAO with a copy of the complaint.

(5) A copy of the complaint and response will be provided to the noise management committee.

e. "The Complaint Management Handbook" gives extensive guidance on how to deal with complaints.

7-6. REVIEW OF HN LAND USE PLANNING DOCUMENTS

ASG commanders will ensure ASG noise management committee representatives actively participate in reviewing and commenting on HN proposed land-use decisions.

a. Incompatible land-use development around and next to military facilities may lead to political controversy or noise-issue litigation.

(1) Review of proposed HN land-use development plans is designed to prevent noise-sensitive land uses (for example, residences, schools) from being built near installation boundaries where Army activities create high

noise levels and the likelihood of annoyance and complaints would rise.

(2) The review may discourage placing noise-intensive HN activities near Army noise-sensitive land uses. Guidance on how to interact effectively with HN land-use planning agencies is in "A Noise Management Handbook for USAREUR Noise Management Program."

b. In Germany, the formal review process for land-use plans received from the *BVA* allows ASGs only 30 days for comments. It is important to have good working relationships with local planning agencies to be able to attempt to influence the shape of local land-use plans or at least to anticipate them. When an ASG has this relationship, it may be better able to provide an appropriate response to the *BVA* on proposals affecting the ASG.

c. HN land-use proposals will be evaluated based on existing and future ASG land uses. Comments that show that a proposed change in use of HN land will subject the HN populace to unacceptable noise levels from existing or planned military activities will be given highest priority.

CHAPTER 8
SPILL CONTINGENCY PLANNING

8-1. SCOPE
This chapter prescribes USAREUR policy and procedures for preventing and controlling spills of POL and other hazardous substances.

8-2. OBJECTIVES
The purpose of spill contingency planning is to—

a. Use, generate, transport, store, handle, and dispose of POL and other hazardous substances in a way that protects the environment.

b. Have responsive notification and reporting procedures to be used when a spill occurs.

c. Be ready to respond rapidly to contain and cleanup a spill.

d. Cooperate with responsible HN agencies to ensure that public health and welfare are protected from spills of POL and other hazardous substances.

e. Comply with applicable HN standards, NATO SOFA, and other international agreements.

8-3. POLICY

a. ASG commanders will enforce compliance with AR 200-1, chapter 8 (as it applies OCONUS), and this regulation.

b. Every reasonable precaution will be taken to prevent spills of POL and other hazardous substances.

c. Facilities will be provided to store, handle, or use POL and other hazardous substances. Proper safety and security measures will be implemented. These facilities will be designed to prevent or minimize spills of such substances to the environment and will be periodically tested and inspected.

d. Wastewater discharges containing POL or other hazardous substances will be monitored to ensure they meet HN discharge standards.

8-4. REPORTING A SPILL OF POL OR OTHER HAZARDOUS SUBSTANCE

a. Spills of POL or other hazardous substances will be reported immediately to the ASG spill coordinator designated by the ASG commander or the fire department, and actions will be taken to eliminate the source of and contain the spill.

b. The ASG spill coordinator immediately will notify the ASG commander or designated representative by telephone when—

(1) A spill occurs inside a U.S. installation and cannot be contained.

(2) A spill exceeds 400 liters (105 gallons) of POL.

(3) A water resource has been polluted.

(4) The ASG spill coordinator has determined that the spill is significant.

c. A written report will be provided to the ASG commander or designated representative within 12 hours after spills in b above. This notification will include at least the information in figure 8-1.

d. The following are special procedures for handling spills in areas not under U.S. control:

(1) When a spill occurs near a U.S. military installation, the person in charge at the scene of the spill will immediately inform the ASG spill coordinator and take actions to contain the spill. The ASG spill coordinator will, if necessary, notify HN authorities and obtain necessary assistance.

NOTE: Under HN laws, fire protection services, rescue of human beings and animals, and disaster response actions are free of charge. Other fire department services (for example, removing oil spills, opening doors, salvaging vehicles) may be chargeable services. Chargeable services

may be accomplished only under the authority of a contracting officer.

1. Name, location, and type or function of installation.
2. Commander of installation and telephone number.
3. Name and telephone number of person providing report.
4. Type and estimated quantity of material spilled.
5. Location of spill.
6. Local discovery time and date of incident.
7. Any receiving streams or waters.
8. Cause of incident and equipment or facility involved.
9. Injuries and property damage.
10. Duration of discharge.
11. Remedial actions taken.
12. Agencies notified.
13. Extent of involvement by HN civil official.

***Figure 8-1. Spill Notification**

***This format will be used only as a guide and will not be printed, reproduced, or stocked.**

(2) When a spill occurs in an area not near a U.S. military installation, the person in charge at the scene will immediately notify the HN authorities and local fire department and obtain necessary assistance. In an emergency involving imminent danger to human life or property, the person in charge at the scene may obtain assistance without a procurement contract; in other instances a contract is required.

(3) When a spill occurs in a maneuver rights area, it will be immediately reported to the nearest police station or fire department and to the appropriate maneuver damage prevention officer (USAREUR Reg 350-22). The appropriate USFLO and PAO will be advised of the unit response action and the response by HN authorities.

(4) Spills occurring outside U.S.-controlled facilities or having an effect outside U.S.-controlled facilities may result in claims against the United States under the NATO SOFA. USAREUR Pamphlet 27-2 requires investigation of each spill.

(a) DA Form 1208 (Report of Claims Officer) must be completed within 21 days after the incident and sent to the Chief, U.S. Army Claims Service, Europe, ATTN: AEUTN-CLT, Unit 30010, Box 34, APO AE 09166-5346.

(b) Reports on spills that required HN assistance without an advance contract must include the following information:

1. Description of the emergency.

2. Services that were performed.

3. Who requested the services performed.

4. Why U.S. resources could not be used or were not adequate.

(c) More guidance is in USAREUR Pamphlet 27-2 or available from the Chief, U.S. Army Claims Service, Europe (tel: 380-6646/7613).

e. When a spill of POL or other hazardous substance occurs inside a U.S. installation and is migrating offpost or threatening the local HN drinking water resource, the appropriate HN authorities must be notified immediately.

f. AR 360-5 has specific guidance on releasing information about chemical surety material and accidents that result in casualties.

g. Release of information about spills of POL or other hazardous substances inside the ASG boundaries will be conducted as follows:

(1) For spills that pose no threat to the public health or welfare or the environment in the surrounding community, release of information will be made at the discretion of the ASG commander. Prompt release of factual information is encouraged.

(2) When a spill of a POL or other hazardous substance poses an imminent threat to the public health or welfare or to the environment, the ASG commander may approve the release of information.

(3) Information proposed for release will be coordinated with the CPA before release.

(4) Release of information about spills should be developed with the PAO. Releases of information will be prepared to—

(a) Ensure public safety.

(b) Prevent or reduce widespread public alarm.

(c) Ensure the public understands the extent and nature of the hazard caused by the spill.

h. Commanders of ASGs and assigned units will notify the Commander in Chief, USAREUR, ATTN: AEAEN-ENVR, Unit 29351, APO AE 09014, within 24 hours when—

(1) Spills exceed 4,000 liters (1,050 gallons) of POL.

(2) The ASG spill coordinator has determined there has been a significant spill of another hazardous substance.

(3) There has been significant adverse reaction by HN civil authorities.

i. ASG commanders will provide a written report to the DCSENGR within 21 days after a spill. The report will include at least the information in figure 8-1.

8-5. SPCCP

a. ASG commanders will prepare, maintain, and implement an SPCCP. The SPCCP will include at least the following:

(1) General information on the ASG (incl name, type or function, location and address, locations and addresses of subordinate installations, designated water protection areas, and location maps).

(2) Name, title, and telephone number of the designated ASG spill coordinator.

(3) An inventory of storage, handling, and transfer facilities that could produce a significant spill of POL or other hazardous substances (for example, due to equipment failure). For each listing, include a prediction of the direction and rate of flow and total quantity of POL or hazardous substance that might be spilled if there was a major failure.

(4) An inventory of POL and hazardous substances at storage, handling, and transfer facilities. A file of MSDSs and equivalent HN data sheets (in Germany *Sicherheitsdatenblätter*) will be maintained by users and fire departments, and be updated at least once a year.

(5) A detailed description of equipment and counter-measures (incl structures and equipment for diversion and containment of spills) for each facility listed in the inventory ((4) above). Measures adopted should permit reclamation of spilled substances as far as is practical.

(6) A description of deficiencies at each facility listed in the inventory. Include a detailed description of corrective measures required and procedures to be followed to correct listed deficiencies.

(7) Written procedures for—

(a) Operations to prevent spills of POL or other hazardous substances based on applicable HN standards.

(b) Inspections.

(c) Recordkeeping.

(8) Spill control measures for local and major training areas (incl field-expedient methods for spill prevention and control when in a training environment).

(9) Spill control measures for maneuver rights areas. HN standards for water protection must be observed when a unit exercises in maneuver rights areas. Identifying the requirements for a particular area is an essential part of maneuver rights coordination (USAREUR Reg 350-22).

(10)Training requirements for the BSB response team (incl spill cleanup equipment, procedures, and clothing).

b. Each SPCCP and subsequent amendment will, after review by the DEH, be dated and become effective on the date the ASG commander signs it.

(1) Completed SPCCPs will be fully implemented (incl required construction and installation of equipment).

(2) SPCCPs will be kept current and made available for onsite review by representatives of HN authorities.

(3) SPCCPs will be reviewed and amended at least once every 2 years or whenever there is a change in facility design, construction, operation, or maintenance that affects the potential for spills of POL or other hazardous substances.

(4) Spill prevention briefings will be conducted often enough to ensure operating personnel understand the SPCCP. These briefings will be conducted at least once a year; they should be combined with the required yearly CSCP training.

8-6. BSB SPILL CONTINGENCY PLAN

a. ASG commanders will ensure that subordinate installations and activities prepare, maintain, and implement a spill contingency plan to—

(1) Identify resources for cleaning up spills at installations and activities.

(2) Provide assistance to other agencies when requested. AR 500-60 prescribes policy and procedures for the Army response to spills not due to Army activities.

b. Each ASG tenant organization will prepare, maintain, and implement SOPs for handling POL and other hazardous substances, spill prevention, and spill cleanup according to this regulation and the CSCP.

c. BSB spill contingency plans will include at least the following:

(1) Specific responsibilities, duties, procedures, and resources to be used to contain and cleanup spills.

(2) A description of actions to be taken when a spill is discovered.

(3) Identification of persons, equipment, vehicles, supplies, materials, and other resources available to the response team.

(4) The name and responsibilities of the ASG spill coordinator. The ASG spill coordinator is the person who will coordinate and direct Army control and cleanup efforts at the scene of a POL or other hazardous substance spill due to Army activities on or near ASG installations. This person will be designated by the ASG commander.

(5) The responsibilities, composition, and training requirements of the BSB response team. The BSB response team will be an emergency response team performing response functions directed by the ASG spill coordinator. A planned location for an installation response operations center will be identified in the BSB spill contingency plan.

(6) Procedures for response team alert and mobilization. This will include provisions for—

(a) Access to a reliable communication system for timely notification of a POL or hazardous substance spill.

(b) PAO involvement.

(7) A current list of the persons and alternates who must receive notice of a POL or other hazardous substance spill. The list should include the names, positions, telephone numbers, and addresses of key contact persons and agencies (incl HN officials and authorities).

(8) Surveillance procedures for early detection of POL and hazardous substances spills.

(9) A list of various critical water resources (in order of importance) that must be protected in case of a spill.

(10) Other resources available to an ASG to clean-up or reclaim a large spill caused by Army activities when the spill exceeds the response capability of the ASG (for example, assistance from the local fire department or private contractors). A list of outside contractors that can expeditiously contain, recover, and remove harmful quantities of POL or hazardous substances spilled will be included. The plan will prescribe a procedure to request assistance and agreements to acquire resources during a major disaster or response situation.

(11) Procedures and techniques to identify, contain, reclaim, and remove POL and other hazardous substances used in bulk quantity in an ASG. Pollution control actions will be taken according to applicable HN standards and Army regulations.

(12) Procedures for disposing of recovered substances and contaminated soil or absorbent materials.

(13) Procedures for reporting (para 8-4), by telephone and in writing, a POL or hazardous substance spill caused by Army activities.

(14) A description of general safety and fire prevention precautions for spill cleanup actions.

(15) A public affairs portion that describes the procedures, responsibilities, and methods for releasing information in case of a spill.

d. The requirements for a SPCCP and BSB spill contingency plan may be met by a single plan with two distinct sections that is maintained at the ASG.

e. The ASG spill coordinator will review spill contingency SOPs developed by tenant organizations.

f. ASGs will keep current BSB spill contingency plans and review and evaluate them at least once every 2 years. Changes must be entered into plans within 6 months of the change. This means that any amendment to the SPCCP must be shown in the CSCP.

g. ASG commanders will ensure training is conducted each year to test the effectiveness of BSB spill contingency plan personnel and equipment. This training will ensure personnel can—

(1) Provide a quick and effective response in case of a spill.

(2) Inspect cleanup supplies and equipment to ensure they are available and in working condition.

NOTE: An afteraction evaluation of an actual spill may substitute for the required training.

h. The following ASG agencies will keep copies of BSB spill contingency plans with changes:

(1) DEH office.

(2) DRMO (if on an installation).

(3) Emergency operations center.

(4) Environmental office.

(5) Fire alarm communication center/fire station.

(6) Fire protection office.

(7) Installation coordinator office.

(8) Preventive medicine services.

(9) Provost marshal office.

(10) Public affairs office.

(11) Safety office.

i. Spill contingency SOPs will be maintained at each site that stores, handles, or transfers POL or other hazardous substances for which there is a reasonable possibility of a significant spill.

CHAPTER 9
USAREUR ENVIRONMENTAL RESTORATION PROGRAM

9-1. SCOPE

a. This chapter prescribes policy and procedures for managing the UERP. The UERP applies to the identification, investigation, and cleanup of soil and groundwater contamination from former and current Army activities. It applies to real property controlled by USAREUR (incl NATO infrastructure-funded, leased, and Government-owned, contractor-operated facilities).

b. This chapter does not apply to areas outside U.S. Army-controlled property, except for reporting and data management purposes (para 9-8) and reporting of conditions posing an imminent or potential threat to human health or the environment. For areas outside U.S. Army control, local HN officials may direct and fund restoration under NATO SOFA claims procedures.

9-2. OBJECTIVES

The purpose of the UERP is to protect the health and safety of U.S. and HN installation personnel and the public. It is intended to protect the quality of the environment by identifying, assessing, and remediating (glossary) environmental threats posed by contaminated sites on USAREUR-controlled property resulting from current or former military operations. The UERP is designed to reduce the risk from environmental contamination.

9-3. POLICY AND REQUIREMENTS

a. Determination of Imminent Health Threat. ASG commanders will evaluate contaminated sites. Until surveys and assessments confirm or deny such, it will be assumed that an imminent health threat (glossary) exists. The opinions of HN authorities are relevant to the decision but should not be considered conclusive. The DCSENGR (AEAEN-ENVR) will be contacted when an issue of possible imminent health threat is thought to exist.

b. Requirements. ASG commanders will take action to remedy or prevent imminent threats to health and safety. Action on non-imminent health threat contamination will be based on the nature and source of the contamination.

c. Priorities. ASG commanders will take action on contaminated sites in the following priorities:

(1) Preventing or remedying confirmed imminent health threats.

(2) Confirming or denying the existence of suspected imminent health threats.

(3) Remedying confirmed class I (non-imminent health threat) contaminated sites to achieve remediation standards negotiated with HN authorities.

(4) Confirming or denying the existence of suspected class I (non-imminent health threat) contaminated sites.

(5) Remedying, where appropriate, class II and class III contaminated sites.

(6) Conducting installation-wide preliminary assessments to identify possible contaminated sites and the size and likelihood of threats to public health and welfare or to the environment.

d. Closure. The presence of an imminent health threat and related projects will not delay closure of an installation. Corrective actions will be taken to the extent possible before returning the facility to the HN according to priorities in paragraph 9-4.

9-4. FUNDING PRIORITIES FOR UERP CONTAMINATED SITES

a. Class I. If the installation will remain open, class I compliance actions must be funded as soon as possible, but not later than the next budget year after the fiscal year during which they are identified as class I. For installations scheduled for closure, the priority for class I actions is as follows:

(1) Imminent Health Threat. For any installation (NATO or USAREUR) where contamination constitutes an imminent health threat, immediate action will be taken regardless of closure status.

(2) Non-imminent Health Threat Class I Contamination. Funding for non-imminent health threat class I actions at USAREUR sites requires DCSENGR approval. Previously funded or obligated actions may continue up to closure. No new actions or projects will be funded (chap 14). For NATO installations, see paragraph 9-5b.

b. Classes II and III. Class II and class III requirements will be funded according to the availability of funds in the program budget guidance for the year programmed.

9-5. NATO SITES

a. NATO sites operated by USAREUR are programmed for funding requirements under the "polluter pays" principle. NATO policy requires the user nation, through the supporting DEH, to maintain the NATO facilities to an acceptable standard.

b. Funding for non-imminent health threat class I actions at USAREUR-controlled or -operated NATO sites that are closing must be approved by the Commander in Chief, USAREUR.

c. A precautionary prefinancing statement must be submitted to the DCSENGR (AEAEN-P-P) before a project authorization may be approved. The precautionary prefinancing statement preserves the U.S. right to recoup U.S. funds spent on environmental cleanup at NATO sites.

9-6. UERP PHASES

a. Confirmed contaminated sites (glossary) will undergo the following phases:

(1) Risk Assessment/Prioritization Phase (RAPP). The purposes of the RAPP are to determine—

(a) Risk to human health and the environment.

(b) Responsibility for the contamination (HN sources, U.S. Forces, both).

(c) Type and extent of remediation (no restoration or cleanup required, mitigation, full or partial restoration/ cleanup).

(2) Remedial Action/Monitoring Phase (RAMP). Remedial actions are permanent remedies taken to prevent or reduce the release of hazardous substances so they will cause no substantial danger to present or future public health or welfare or to the environment. The purpose of the RAMP is to—

(a) Conduct monitoring.

(b) Conduct restoration and cleanup.

(c) Design the remedy.

(d) Determine the appropriate remedy.

(e) Develop a monitoring program.

b. Suspected contaminated sites (glossary) will undergo a site investigation to determine whether or not they are contaminated.

(1) The site investigation will—

(a) Reveal the general type and extent of contamination.

(b) Evaluate the need for further testing or investigation.

(c) Provide an initial determination of whether the contamination was caused by U.S. Forces.

(d) Provide an initial HHRA or prioritization.

(2) Once the site investigation is completed, the suspected site will become either a confirmed site or be deleted from the list of active contaminated sites. If contamination was caused by U.S. Army activities, the ASG commander will follow the funding guidance for confirmed sites in this regulation.

c. Installations will undergo preliminary assessments to determine whether other sites on an installation should be added to the installation's list of suspected and confirmed sites.

(1) The preliminary assessment concept does not apply to sites already confirmed or suspected of contamination. The preliminary assessment may be

appropriate for other parts of an installation where contamination is suspected.

(2) The purposes of the preliminary assessment are to—

(a) Identify suspected contaminated sites.

(b) Determine the source and nature of contamination.

(c) Evaluate the type, size and likelihood of threats to public health and welfare or the environment.

(d) Determine the need for immediate removal, further investigation, site inspection or no action.

(3) A preliminary assessment will be prepared for each installation that will remain open, based on searches of the following records:

(a) Hazardous wastes and materials inventory.

(b) PCB surveys, retrofit, and disposal records.

(c) Spill response actions.

(d) UST inventories and testing records.

(e) Landfill use, closure records, and monitoring information.

(f) Contaminated site studies and remedial action records.

(g) Results of physical inspections and surveys.

(4) The preliminary assessment also may include interviews of current and former employees, field inspections, aerial surveys, and sampling.

9-7. UERP AND THE NATO SOFA CLAIMS PROCESS

a. Clean-up of contamination entirely within a retained U.S.-controlled installation is a matter solely within the discretion of the U.S. Forces, unless the contamination is in the public domain (b below).

b. HN standards apply in determining when contamination is no longer "within" a U.S.-controlled installation. For example, in Germany, this point is reached in water pollution cases when contamination invades the groundwater (even if it is "under" the U.S. facility, it is considered to be in the public domain). Contamination in the soil that threatens the groundwater is considered to be in the public domain.

c. In Germany, when contamination enters the public domain a local authority may take immediate cleanup steps. As an "injured party," the local authority can then file a NATO SOFA claim to recover the expense of testing and remedial action. NATO SOFA claims are processed through local Defense Cost Offices (DCOs), which use Federal Ministry of Finance funds to pay the claims. Under NATO SOFA burden-sharing provisions, the U.S. reimburses DCOs for 75 percent of the cost.

d. The U.S. Army Claims Service, Europe, is responsible for reimbursing NATO SOFA claims filed against U.S. Forces in Germany.

9-8. PROGRAMMING, BUDGETING, AND DATA MANAGEMENT FOR THE UERP

a. Funding for cleaning contaminated sites competes for funding with other environmental compliance requirements under ECAP funding.

b. Programming and budgeting information for contaminated sites must be included in the RCS 1383 Report (para 12-6). To supplement the report information with site-specific details on each contaminated site, USAREUR has a centralized DUCS (c below). Data entry requirements for contaminated sites in the report will include the following:

(1) Each contaminated site must correspond to at least one report project number (PROJNUM in report format).

(a) For a confirmed contaminated site, the report should show a many-to-one relation between PROJNUMs and each site. A separate PROJNUM should be established for funds spent or planned for outyears in each of the following categories:

1. Survey (or preliminary assessment).

2. Remedial investigation (more detailed study to develop solution).

3. Cleanup (remedial action).

4. Monitoring.

(b) For a suspected contaminated site, the report should show a one-to-one relation between a PROJNUM and each site (a PROJNUM for a site investigation or preliminary assessment).

(2) Each report project involving a survey, remedial investigation, cleanup, or other action on a contaminated site must be correlated to a contaminated site in DUCS. When a report project is programmed for a contaminated site that is not in DUCS (no DUCS number),

the DCSENGR (AEAEN-ENVR) should be notified as soon as possible with the necessary information to include the site in DUCS.

c. DUCS provides a link between UERP contaminated site information and the financial and compliance information in the RCS 1383 Report. DUCS has information for contaminated sites on USAREUR installations and NATO installations operated by USAREUR; it also includes information on contaminated sites now covered under NATO SOFA claims, that originated from USAREUR-operated installations.

d. ASG and subordinate element commanders will provide periodic information to DUCS on request by the DCSENGR (AEAEN-ENVR).

9-9. TECHNICAL ASSISTANCE

a. Technical assistance for the UERP may be obtained through the DCSENGR (AEAEN-ENVR) or the Commander, 10th Medical Laboratory (AEMML-PM-ENV) (tel: 483-8556).

b. Technical assistance for testing may be obtained from the Commander, USAREUR Material and Equipment Oil Analysis Laboratory, Coleman Barracks, building 50, APO AE 09028-5000 (tel: 382-4292/5221).

CHAPTER 10
ASBESTOS MANAGEMENT PROGRAM

10-1. SCOPE

This chapter prescribes policy and procedures for managing asbestos, ACM, and wastes on USAREUR military installations and in leased facilities throughout Europe.

10-2. OBJECTIVES

Control of friable and nonfriable ACM in USAREUR-operated facilities will be accomplished according to AR 200-1, chapter 10, and this regulation. To control asbestos and reduce exposure and potential for release into the environment, ASG commanders will—

a. Handle, store, transport, and dispose of ACM according to U.S. and HN standards. Asbestos material may be considered a regulated waste material under certain HN laws. (For example, in Germany, asbestos is a HW (*Sondermüll*)).

b. Establish an asbestos management program that includes surveys throughout the ASG to identify and maintain an inventory of the presence or absence of ACM in USAREUR-controlled or -leased facilities.

c. Implement a special operations and maintenance (O&M) program to minimize exposure to asbestos in each area identified as having ACM until abatement of the material has occurred. O&M plans will be written in English and the HN language. In areas where asbestos warning signs are posted, they must be in English and the HN language.

10-3. USAREUR ASBESTOS MANAGEMENT PROGRAM REQUIREMENTS

ASG commanders will—

a. Establish, maintain, and actively support an asbestos management program.

b. Designate an ASG asbestos control officer (normally from the DEH office) to execute the asbestos management program plans and policy. The designated individual will meet the AHERA management planner accreditation requirements from recognized U.S. authorities and appropriate HN requirements before being assigned asbestos management planning responsibilities.

c. Form an ASG asbestos management team, chaired by the DEH, to establish program plans and policy for the ASG.

(1) Members of the team should include the asbestos control officer and persons from—

(a) Civilian personnel office.

(b) DEH office.

(c) Public affairs office.

(d) Preventive medicine office.

(e) Safety office.

(f) Staff judge advocates office.

(g) Other interested parties when necessary.

(2) The team in (1) above may be a subcommittee of the EQCC. Minutes and relevant issues will be reported to the EQCC. The team will meet when required, but at least than twice a year. Minutes will be recorded and kept on file as part of the asbestos management plan.

d. Comply with U.S. and HN regulations and Army and USAREUR policy on asbestos management (incl required training and accreditation of personnel).

e. Program and budget for resources to execute the asbestos management program and ensure these requirements are identified in the RCS 1383 Report.

10-4. ASBESTOS MANAGEMENT TEAM RESPONSIBILITIES

Asbestos management teams will—

a. Meet periodically to—

(1) Review the status of the asbestos management program.

(2) Identify problem areas.

(3) Prepare future action plans.

(4) Develop public information plans when needed with the PAO.

b. Identify, with help from the supporting preventive medicine activity, groups of workers that may become exposed to asbestos while doing their assigned duties.

c. Help procure and provide personal protective equipment and clothing (incl respirators) to workers in b above according to applicable U.S. and HN standards.

d. Establish worker education, training, and exposure notification programs for persons that may work with or come into contact with ACM as part of their assigned duties (b above).

e. Establish and monitor an ASG medical surveillance program for workers that might come into contact with asbestos while doing their duties and workers that are required to wear respirators (b above).

f. Institute a personnel recruitment policy (with the CPO) that ensures the persons capable of using required personal protective equipment are hired for positions involving asbestos exposure.

10-5. ASG ASBESTOS CONTROL OFFICER RESPONSIBILITIES

The ASG asbestos control officer will implement and execute the ASG asbestos management program and will—

a. Develop an ASG SOP that describes effective management practices to reduce exposure to ACM and their release into the environment. The SOP will describe actions from survey and discovery through resolution (abatement and disposal).

b. Prepare an asbestos management plan for approval and signature by the ASG commander. The asbestos management plan will be updated by 1 November each year. ASG asbestos management plans will include the following subplans:

(1) ACM survey subplan (para 10-6b). This subplan will include at least the following:

(a) The history of asbestos surveys and plans (dates conducted and scheduled) for U.S.-controlled property (incl leased and Government Rental Housing Program).

(b) Results of surveys.

(c) Risk assessments for areas with ACM.

(2) Action subplan (para 10-6c). This subplan will include at least the following:

(a) A plan of action for tasks to reduce instances of asbestos when required.

(b) An O&M and at least once-a-year reinspection program for ACM.

(3) Resource subplan (para 10-6d). This subplan will include at least the following:

(a) Historic expenditures on the asbestos management program.

(b) A 5-year plan indicating projected resource needs (incl asbestos abatement, equipment, supplies, training, surveys, and analysis capabilities).

(4) Public information subplan (para 10-6e).

c. Maintain ASG asbestos management plan records and files according to paragraph 10-8.

10-6. ASG ASBESTOS MANAGEMENT PROGRAM

a. ASG SOPs will be developed and provided to individual ASG activities and tenant organizations, and will include the following information:

(1) Purpose.

(2) Applicable safety and health references pertaining to asbestos.

(3) Personal protective clothing and equipment according to AR 385-10, DA Pamphlet 385-3, and OSHA and HN safety standards.

(4) ASG organizational responsibilities (incl name, title and position of person) for managing, identifying, handling, transporting, and disposing and monitoring of ACM in USAREUR-controlled facilities.

(5) ACM control procedures that will reduce the potential for asbestos fiber release into the environment.

(6) Emergency reporting and response procedures in case of damage to identified or suspected ACM.

(7) Complaint and inquiry response and documentation procedures.

(8) Provisions for appropriate training according to U.S., HN, and Army regulations.

(9) Signature of the reviewer.

(10) Signature of approval by the ASG commander.

b. ASG ACM survey subplans will include the following:

(1) Historical and future asbestos survey schedule for USAREUR-controlled and -leased facilities in the ASG. The surveys will identify the locations, quantities, and conditions of ACM in these structures.

(2) Establishment and list of priorities by facility (incl their function or use) for execution of the surveys. This list will include the following:

(a) Structures scheduled for demolition, renovation, repair, or maintenance activities.

(b) Structures identified as having ACM present in the standard construction clauses (para 10-7). Included will be structures where it is known that ACM have historically been used because of former, present, or future facility usage (for example, heating plants).

(c) Child development centers, housing and living quarters, hospitals, clinics, and other facilities frequented and used regularly by children.

(d) Public facilities, administrative and office facilities, O&M facilities, training facilities, supply and storage facilities, and other facilities that are frequented and regularly used by any group or individual.

(e) Structures that are not included in (a) through (d) above.

(3) Procedures to be used to conduct surveys.

(a) Determine who will conduct the surveys (for example, contractor, inhouse persons). Asbestos survey work must be conducted by accredited persons that meet the inspector training requirements of AHERA or equal HN standards for qualifications as determined by HQ USAREUR/7A.

(b) Extract bulk samples of the suspect materials from the facility.

(c) Assess the physical condition of the suspect material for aging, deterioration, or damage.

(d) Assess the potential for individual exposure because the physical location and accessibility of the material. Current and future occupancy levels and use of the facility should be considered.

(4) Laboratory analysis methods to be used for bulk samples collected.

(a) Select laboratories that have been approved by the HN or are certified in bulk sample analysis for asbestos microscopy techniques.

(b) Approved bulk sample microscope analysis techniques include polarized light microscopy (PLM), scanning electron microscopy (SEM) with x-ray diffraction, and transmission electron microscopy (TEM).

(5) Documentation procedures for bulk sample analysis (para 10-8).

(6) A timetable for accomplishing the facility surveys.

(7) Leased facilities in asbestos surveys (para 10-7).

(8) An HHRA for ACM identified.

(9) A statement identifying the nature and location of ACM in each facility.

(10) An O&M program.

c. An ASG action subplan will be implemented and include appropriate actions for each facility where ACM is identified. The following are recommended actions to reduce the potential for asbestos fiber release to the environment:

(1) Periodic monitoring and reinspection of the ACM in the facility until its removal. Annual facility reinspections will be conducted by accredited personnel to report damage and deterioration of ACM.

(3) Establishing special O&M procedures in facilities until ACM is removed. This includes—

(a) Special cleaning procedures for areas with ACM.

(b) Safety precautions to be followed during minor maintenance work in areas with ACM.

(c) Emergency response procedures for damaged ACM.

(d) Bilingual labeling of building materials with asbestos.

(e) Notifying building occupants of locations of ACM in their facilities.

(f) Implementing standard clauses in construction, alteration, and maintenance contracts requiring contractors to protect workers from asbestos (para 10-9).

d. An ASG resource subplan will identify anticipated future resource requirements to accomplish the objectives of the ASG asbestos management program. Programming, budgeting, and funding requests will be included in the RCS 1383 Report and sent to the DCSENGR (AEAEN-ENVR). Requirements to be identified and included are—

(1) Costs for installation surveys and reinspections.

(2) Bulk sample and air sample laboratory analysis services.

(3) Projected and planned personnel training costs (incl annual refresher training).

(4) Current and projected asbestos abatement project funding requirements.

(5) Equipment and supplies.

e. An ASG public information subplan will be developed with the PAO to provide information on the ASG asbestos management program. This subplan will—

(1) Identify and promote actions to increase awareness in the ASG of the hazards associated with ACM.

(2) Provide timely information on identification and locations of ACM.

(3) Designate the PAO as the primary POC with external media on inquiries and press releases on the asbestos management program.

10-7. LEASED FACILITY REQUIREMENTS

a. ASG commanders will include leased facilities in ACM surveys. If ACM is present but does not pose a danger to occupants, the locations will be noted and reinspected regularly. When ACM is found that poses a potential danger to human health, the leaser will be informed immediately in writing. This notice must be coordinated with the leasee through the building manager and housing or real estate office to allow for relocation if necessary.

b. One of the following will be included in the real estate records (lease documents) of facilities being considered for first-time leases or renewals:

(1) A statement from the ASG asbestos control officer that an investigation has been conducted and no friable (easily crumbled) material that potentially contains asbestos exists or that the material has been tested and found to contain no asbestos.

(2) A statement from the ASG asbestos control officer that investigation of the facility has been conducted and—

(a) ACM or friable materials potentially containing asbestos exist and the location of the ACM.

(b) The presence of the material in (a) above is not health-threatening because of planned or existing building use, material condition, or material accessibility. These facilities will be included on regular reinspection schedules.

c. ACM and friable material b(2)(a) above will be considered to contain asbestos until analytically proven otherwise. For facilities issued a statement according to b(2)(a) above, ASG commanders will—

(1) Prepare an HHRA of identified ACM.

(2) Prepare a statement stating the nature and locations of ACM in the facility. This statement will be given to the occupants of the facility, leaser, ASG real property office, ASG housing office, and DEH.

(3) Implement an O&M program and give the details of the program to the facility occupants and leaser.

d. No building with ACM that may become health-threatening due to building use, ACM condition, or ACM accessibility will be considered for lease or lease renewal.

10-8. ASBESTOS SURVEY DOCUMENTATION AND PROGRAM RECORDS MAINTENANCE

a. Asbestos survey documentation will be completed for each bulk sample from facilities surveyed (incl leased facilities). The information will include—

(1) Facility number, address, and geographic location.

(2) Date of the facility asbestos survey and surveyor identification.

(3) Generic name of the material sampled with its location, quantity, and condition in the facility, and any observations or comments from the survey form.

(4) Results of laboratory analyses, including a statement of the presence or absence of asbestos fibers and whether the material is friable or nonfriable.

(5) Written HHRA for each occurrence of ACM discovered. Assessments will consider the potential for fiber release into the environment and the incidental risk to human health. HHRAs will be conducted by accredited personnel that meet the AHERA management planner or similar training requirements under U.S. and HN standards.

b. Program records maintenance is the responsibility of and will be coordinated by the ASG asbestos control officer. The ASG asbestos control officer will—

(1) Establish, manage, and maintain a central recordkeeping system for documents pertaining to the ASG asbestos management plan (incl subplans in para 10-5b).

(2) Maintain copies of asbestos survey documents in paragraph 10-8a.

(3) Consolidate ASG asbestos survey documents into one asbestos survey file document.

(4) Update the ASG asbestos survey subplan each year.

(5) Update the ASG asbestos management plan each year.

10-9. STANDARD CLAUSES FOR ASBESTOS RELATED PROJECTS

a. ASGs will ensure that contracts for construction, alteration, and maintenance projects that may involve asbestos include a clause requiring contractors to protect workers from asbestos.

b. Project proponents will—

(1) Individually survey each project-related facility for ACM. Surveys that cover the ASG will not replace design investigation for new work or maintenance and repair projects.

(2) State the presence or absence of ACM in the following project-related documents:

(a) Project Development Brochure (PDB)-1 and PDB-2 (DA Form 5023-R series (Documentation Check-lists); DA Form 5024-R series (Technical Data Checklists); DA Form 5025-R series (Design Data Checklists)).

(b) DA Form 337 (Request for Approval of Disposal of Buildings and Improvements). If an ACM is present in the facility, the following statement will be added: "Asbestos-containing material must be removed before demolition."

(c) DA Form 4283 (Facilities Engineering Work Request) and a statement on the transmittal document to the design and contracting activity for projects that are not MCA.

(d) DD Form 1391 (FY ____, Military Construction Project Data).

(e) DA Form 4283 (DEH individual job orders).

(3) Include specific information on the presence of ACM in construction bid documents and ensure inhouse repair or removal actions are completed according to applicable requirements.

10-10. AHERA

Persons identified to work with asbestos must be trained and certified according to applicable AHERA or equivalent HN standards. Where AHERA-accredited personnel are not available, HQ USAREUR/7A will determine equivalency qualifications.

10-11. DODDS REQUIREMENTS

a. Work performed in DODDS schools involving ACM must be done according to AHERA guidelines and regulations and be coordinated through the appropriate DODDS headquarters.

b. USAREUR ASGs responsible for DODDS custodial, maintenance, or service contracts must ensure contractors and employees comply with AHERA asbestos training and supervision guidelines.

CHAPTER 11
ARMY RADON REDUCTION PROGRAM

11-1. SCOPE
This chapter prescribes policy and procedures for assessing indoor levels of radon and reducing radon in structures where the levels are high. ASG commanders will comply with requirements in AR 200-1, chapter 11, and this regulation.

11-2. OBJECTIVES
The objectives of the ARRP are to—

a. Identify structures owned and leased by the Army that have indoor radon levels greater than 4 picocuries per liter (pCi/l) of air.

b. Modify every Army-controlled structure with radon levels greater than 4 pCi/l so that the levels are reduced to 4 pCi/l or less.

c. Identify reduction strategies and procedures.

11-3. MEASUREMENT PLAN AND PRIORITIES

a. ASG commanders will manage and conduct radon measurements throughout ASGs. ASGs will implement a plan to identify USAREUR structures that have radon levels higher than 4 pCi/l. Emphasis will be placed on identifying and implementing early reduction actions for priority 1 structures (b(1) below) with levels greater than 20 pCi/l. The plan will be according to AR 200-1, paragraph 11-4.

b. Priorities for radon assessment are as follows:

(1) Priority 1. Day-care centers, hospitals, schools and living areas (bachelor officer quarters, bachelor enlisted quarters, barracks, and family quarters, to include Government Rental Housing Program leased quarters).

(2) Priority 2. Areas having 24-hour operations (for example, operations centers).

(3) Priority 3. Other routinely occupied facilities or structures occupied for at least 520 hours per year (10 hours per week or more). Warehouses occupied for less than 2 hours a day and ammunition bunkers need not be monitored.

11-4. MEASUREMENT METHODOLOGY

a. ASGs will implement radon measurements and long-term monitoring according to AR 200-1, paragraph 11-5.

b. For long-term monitoring applicability, when no priority 1 structures with readings exceeding 4 pCi/l are reported, no additional monitoring of priority 2 and 3 structures is required. This applies only when the priority 1 structures are on the same caserne as the priority 2 and 3 structures in question.

c. Specific guidance for detector deployment and retrieval is in the "Army Radon Reduction Program Instruction Manual for Field Personnel" distributed by U.S. Army Engineering and Housing Support Center.

11-5. QUALITY ASSURANCE
ASGs will follow quality assurance procedures in the "Army Radon Reduction Program Instruction Manual for Field Personnel." Once each phase of monitoring is completed, ASGs must contact the quality assurance contractor for information verification and confirmation. Followup testing and reduction will not be initiated before receiving information verification.

11-6. MITIGATION
Mitigation will be implemented according to AR 200-1, table 11-1 and figure 11-1. Mitigation measures should be implemented according to EPA-approved design and construction plans.

11-7. LEASED FACILITIES
Leased facilities will have a "radon test result" clause in the lease. The clause will allow the U.S. Army to terminate a lease based on the results of radon testing if the landlord fails to provide proper remedial action. USAREUR may terminate existing leases where testing reveals high levels of radon and no reduction agreement can be reached with the landlord.

11-8. FUNDING

a. ASGs will identify, budget, and program funds to execute the ARRP through the RCS 1383 Report. ASGs will purchase detectors and send funding documents with each detector order to the U.S. Army Engineering and Housing Support Center, ATTN: CEHSC-FU-S, Fort Belvoir, VA 22060-5580. Information on costs and other services may be obtained from the DCSENGR (AEAEN-ENVR).

b. Reduction costs for tenant-occupied facilities will be borne by the tenant organization.

c. HQDA generally will pay quality assurance costs for laboratory analyses. ASGs must cover the cost of shipping detectors to the quality assurance contractor.

11-9. REPORTING REQUIREMENTS

a. ASGs will provide the DCSENGR (AEAEN-ENVR) with their radon POC address and telephone number each year or when the responsible ASG radon POC changes, whichever occurs first.

b. ASGs will report the status of detector emplacement, retrieval, and analyses each month. This report will be sent to the DCSENGR (AEAEN-ENVR) until detection efforts are complete.

c. ASGs will prepare an annual radon report and submit it to the DCSENGR (AEAEN-ENVR) at the end of each fiscal year. The report will include at least the following information:

(1) Number of structures on the installation.

(2) Number of structures measured.

(3) Number of buildings with measurements—

(a) Greater than 200 pCi/l.

(b) Between 20 and 200 pCi/l.

(c) Between 9 and 20 pCi/l.

(d) Between 5 and 8 pCi/l:

(e) Equal to or less than 4 pCi/l:

(4) Number of buildings reduced.

(5) Highest radon level recorded.

(6) Other information required by HQ USAREUR/ 7A.

11-10. RELEASE OF INFORMATION

ASG commanders will consult with the appropriate PAO and USFLO before releasing information on public health issues related to the radon program, especially when a potential for health threat exists.

CHAPTER 12
OTHER ENVIRONMENTAL PROGRAMS

12-1. SCOPE

This chapter describes environmental programs not covered in other chapters of this regulation. Each paragraph describes a different program and provides the primary responsibilities and policy associated with the program.

12-2. LAND, FOREST AND WILDLIFE MANAGEMENT

a. ASG commanders are responsible for the conservation and management of the land, forest, and wildlife natural resources of areas under their control.

b. Commanders also have responsibility to protect public and private lands used in training (USAREUR Reg 350-22). Responsible stewardship of natural resources on HN lands used for training is an essential part of the military mission. To maintain training areas suitable for sustained effective and realistic training, use of the following will not be allowed:

(1) Offroad recreational vehicles.

(2) Other nonmilitary activities that may cause damage to training lands or the natural resources on them.

c. USAREUR commanders will cooperate with HN forestry and other officials charged with natural resource protection in efforts to prevent damage to forests and other natural resources. Policy and procedures on natural resources management are in AR 420-74 and USAREUR Supplement 1.

12-3. THREATENED AND ENDANGERED SPECIES

USAREUR and Army policy is to ensure military actions are not likely to jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of the critical habitat of these species. Specific policy and procedures are in AR 420-74.

12-4. CULTURAL AND HISTORIC PRESERVATION

The Army's goal is to preserve and protect buildings, structures, sites, and objects of historical, architectural, archaeological, or cultural value on Army-controlled property and in maneuver rights areas. ASG commanders should refer cases of cultural or historical preservation issues to the DCSENGR (AEAEN-ENVR) for specific guidance.

12-5. ENVIRONMENTAL AUDITING

a. USAREUR will implement an ECAS to evaluate, achieve, maintain, and monitor compliance with environmental requirements. In general, applicable environmental requirements are defined as—

(1) U.S. statutes, regulations, and executive orders that have specific applicability OCONUS.

(2) DOD Directive 6050.16 and FGSs developed pursuant to it.

(3) Other DOD directives with specific applicability OCONUS.

(4) ARs that have specific applicability OCONUS.

(5) USAREUR regulations and policy memorandums.

(6) Requirements of U.S. Federal statutes, regulations, and executive orders that do not have specific applicability OCONUS, but that have been adopted as policy in USAREUR.

(7) The provisions of HN standards that apply under the SOFA (chap 2). In general, these will be substantive standards of general applicability.

(8) Procedural requirements of HN standards that HQ USAREUR/7A has determined to be necessary to achieve or ensure compliance.

b. In USAREUR, the ECAS Program will be used to attain DOD, DA, and USAREUR environmental program goals and improve program visibility.

c. The primary requirements of the USAREUR ECAS Program are as follows:

(1) Conduct external ECAS reviews in each ASG at least every 3 years. HQ USAREUR/7A will develop an ECAS schedule. An external ECAS review will be conducted by persons other than those of the ASG being audited. External ECAS reviews may be done by contract or by Army persons with the help of the following:

(a) U.S. Army Engineer Division, Europe.

(b) 10th Medical Laboratory.

(c) HQ USAREUR/7A.

(d) Other ASGs.

(e) A combination of persons from organizations in (a) through (d) above.

NOTE: For purposes of ECAS, the ASG is the ASG and its supported BSBs.

(2) Develop an ASG management plan to address the deficiencies identified in external ECAS reviews ((1) above). These management plans will be updated each year. The management plan will be approved and signed by the ASG commander. Copies of the management plans will be sent to the DCSENGR (AEAEN-ENVR) each year, not later than 6 months after receiving the latest ECAS review report. The plan will identify actions to attain legal compliance and to meet Army and USAREUR environmental program goals, including:

(a) Equipment.

(b) Funding.

(c) Health monitoring requirements.

(d) Operational procedures.

(e) Other actions.

(f) Projects.

(g) Staffing.

(h) Supplies.

(i) Surveys.

(j) Training.

(3) Include requirements to correct deficiencies identified by the latest ECAS review in the ASG RCS 1383 Report.

(4) Conduct internal audits in years between the external audits. An internal ECAS review is one conducted by persons in the ASG being reviewed. Corrective actions for findings identified in an internal ECAS review will be incorporated into the management plan ((2) above).

(5) ECAS reviews will be conducted using only the ECAS protocols approved by HQ USAREUR/7A. USAREUR protocols will consist of two volumes. The first volume will identify and stress U.S. laws, and Army and USAREUR policies and regulations; the second volume will identify and stress HN standards and FGSs. Other appendixes may be required or developed to address state-level (*Länder* in Germany) requirements.

12-6. RCS 1383 REPORT

a. The RCS 1383 Report is the environmental planning, programming, budgeting, and execution document for every environmental action. The report is a requirement in addition to the DA Form 4283, which must be put into the Installation Facilities System. For each environmental action, an approved DA Form 4283 and an entry (project) in the report should exist.

b. The report data base provides proof of previous-year expenditures, current-year executable budget, next-year projected budget, and provides a funding profile for the future. The ASG and BSB report will be the primary document to provide information for the annual workplan, budget documentation, and annual validation of class I actions by HQ USAREUR/7A. The DCSENGR (AEAEN-ENVR) will use the data base to develop environmental resource budget guidance each year.

c. ASGs will update the report and send it to HQ USAREUR/7A as specified by the DCSENGR (AEAEN-ENVR). Projects entered in the report will be identified as class I, II, or III (according to current HQDA and USAREUR guidance on submission during the current reporting period).

d. Projects and actions will be classified in the report as follows:

(1) Class I requirements are those necessary to—

(a) Support compliance with legally binding agreements or judgments under applicable U.S. or HN standards.

(b) Correct deficiencies in an inspection or notice of violation by a regulatory agency or HN equivalent.

(c) Correct deficiencies where a statutory or regulatory deadline has passed.

(2) Class II requirements are those projects or actions needed at facilities that are not yet out of compliance but will be if not implemented before established future deadlines.

(3) Class III requirements are those projects or actions that—

(a) Are needed for facilities or operations that meet current standards but need replacement or expansion to avoid obsolescence or going out of compliance.

(b) Demonstrate leadership.

(c) Are not covered under class I or class II definitions.

12-7. ENVIRONMENTAL QUALITY AWARDS

a. The Secretary of Defense presents an annual award to the military or civilian employee who has made the most significant contribution to the environmental quality program during the preceding 2 years. The HQDA nominee for the Secretary of Defense award will be the individual previously selected to receive the Secretary of the Army individual environmental quality award for the period of competition (b below).

b. The Secretary of Army presents an environmental quality award to the person who has shown the most noteworthy contributions toward protecting and preserving the quality of the environment during the preceding 2 years.

c. Instructions on preparing nominee submittals for the individual awards are in DOD Directive 4700.20. The report format and content for individual submittals will be as follows:

(1) Photographs will not accompany submissions.

(2) Nominations will at least address the individual's special accomplishments and significant contributions to DOD and DA goals by considering the topical areas described in the format for installation submittals.

(3) Other appropriate information, such as related professional achievements, may be included.

(4) Nominations will be sent with 7 copies of individual narratives. Nominations for the annual award must be sent to the DCSENGR (AEAEN-ENVR) by 1 March of each year or as specified by the DCSENGR (AEAEN-ENVR). Narratives must be typewritten and fastened in 9- by 11-inch folders.

d. Information requirements associated with the above awards have been assigned RCS DD-P&L(A)-670.

12-8. EQCC

a. Requirement. Each ASG will have an EQCC. The EQCC will include BSB and major satellite installations and tenant activities.

b. Functions. The EQCC will act on the broad range of environmental issues covered in this regulation and advise the ASG commander on environmental priorities, policies, strategies, and programs. Functions of other existing or required boards (for example, HWMB, noise management committee, asbestos management team) may be consolidated under and reported through the EQCC as subcommittees.

c. Members. The EQCC will be made up of members representing the command, operations, logistics, engineering, planning, public affairs, resource management, legal, safety, and medical activities of or supporting the ASG (incl major tenant organizations). Membership of the EQCC will include at least—

(1) The ASG commander or a designated representative, no lower than the rank of lieutenant colonel, who will serve as the chair.

(2) The DEH, who will act as the executive secretary.

(3) The environmental management officer.

(4) The director of each major staff section of the ASG (incl medical, operations, safety, range management (if applicable), staff judge advocate, resource management, logistics, public affairs, and senior tactical commander's representative). At the discretion of the ASG commander, other offices may be represented.

(5) Command representatives from each tenant organization.

(6) BSB commanders and others deemed appropriate by the ASG commander.

(7) DRMO field office representatives.

NOTE: Although not a formal member, a DRMO field office representative should be invited to attend EQCC meetings.

d. Frequency of Meetings. The EQCC will meet at least once a quarter. Official minutes will be recorded, signed by the ASG commander, and kept on file by the secretary.

CHAPTER 13
ENVIRONMENTAL IMPACT ANALYSIS

13-1. SCOPE

This chapter prescribes USAREUR policy and procedures for complying with Executive Order 12114, DOD Directive 5100.50, DOD Directive 6050.7, and AR 200-2 to the extent applicable OCONUS.

13-2. POLICY AND OBJECTIVES

a. Policy. ASG commanders and heads of subordinate commands and elements will integrate environmental considerations into the decisionmaking process. Environmental effects of proposed actions will be considered in the decision process at the same time as technical, economic, and other factors.

b. Objectives. ASG commanders and decisionmakers will be aware of and responsible for the effects of their decisions on natural and cultural resources, soils, forests, water and air quality, fish and wildlife and their habitats, and other natural resources under their stewardship. ASG commanders will—

(1) Wisely use natural resources on installations and HN lands under their control.

(2) Match military mission activities with the ecological compatibility of the land and natural resources to maintain resources for realistic training and minimize adverse effects on the human and natural environment.

(3) Integrate environmental considerations into the decisionmaking process so that environmental considerations are reviewed during, not after, the process.

(4) Incorporate environmental planning and considerations into USAREUR actions and decisionmaking that may significantly affect the global commons or any protected natural or ecological resource of global importance.

(5) Cooperate with HN authorities on initiatives, resolutions, and programs to protect the quality of the environment.

13-3. ENVIRONMENTAL IMPACT ANALYSIS REQUIREMENTS

a. The Environmental Review Guide (ERG) will be used by project proponents, environmental program managers, and planners during the early stages of project and activity planning to help proponents predict and mitigate potentially adverse environmental effects. The ERG was developed for USAREUR by the U.S. Army Construction Engineering Research Laboratory. It consists of a core volume (vol 1) and is complemented by four functional area guides (incl construction; training; stationing; and operation, maintenance, and repair).

b. Implementation and preparation of an environmental impact analysis is the responsibility of the proponent of the proposed action or project. Use of the ERG process (para 13-4) provides proponents an "early warning" on the level of potential environmental effects. The proponent should implement the ERG process in coordination and consultation with the ASG environmental office. USAREUR proponents will use the ERG in the early stages of a proposed action to—

(1) Identify potentially significant adverse environmental effects.

(2) Mitigate adverse environmental effects by avoiding, minimizing, and rectifying any such effects identified.

(3) Incorporate and document environmental planning and considerations into USAREUR actions and decisionmaking.

13-4. IMPACT EVALUATION AND SCREENING PROCEDURES

a. To determine whether a proposed action or project (for example, construction, training, stationing) is likely to cause a significantly adverse effect on the environment, ASG commanders will ensure that project proponents conduct an initial screening of the proposed project or action using the ERG. Examples of actions that could cause significantly adverse effects include individual and unit training, flight operations, overall operation of installations, changes in the installation mission, and stationing changes within USAREUR.

b. The ERG process will allow a proponent of an action to determine the potential nature and scope of significant environmental effects. The basic steps to implement and complete the ERG process are as follows:

(1) Identify the functional areas (for example, construction, training) of the project or action.

(2) Define the specific activities associated with the project or action.

(3) Assess the risk for each area of environmental concern (for example, air, water).

(4) Determine the type and severity of likely environmental risk from the project or action.

(5) Identify effects and mitigation of those effects.

(6) Prepare a record of environmental consideration (REC) (fig 13-1).

c. The final product of the ERG process will be a REC supported by appropriate impact assessment worksheets that provide the analysis and findings of any required followup procedures according to paragraph 13-5.

13-5. ERG DOCUMENTATION PROCEDURES

The severity of effects the ERG process discloses, combined with the feasibility of mitigating any significant environmental effects, will determine followup actions that commanders will implement. The ERG process will result in a finding of the applicable level (a thru c below). The level of the finding will be documented in the REC. The REC will be prepared and signed by the proponent and reviewed and signed by the environmental office as prescribed below. The levels are—

a. Level 1. The action or project will have no significant adverse effects on the environment; the proponent may continue with the proposed action.

b. Level 2. Significant adverse environmental effects are anticipated that will require modification of the proposed action at the planning stage.

c. Level 3. Significant adverse environmental effects are anticipated; mitigation is, however, not feasible (for example, no effective mitigation exists, costs are prohibitive, effective mitigation would prevent accomplishment of the mission). Further site-specific analysis is necessary (para 13-6).

13-6. SITE-SPECIFIC ENVIRONMENTAL ANALYSES

Site-specific environmental analyses are required when the ERG process indicates that a proposed action is level 3.

a. Site-specific analyses focus on the significant environmental effects identified in the ERG process. An environmental impact analysis must be completed and a document must be prepared that includes the following components:

(1) A clear definition of the purpose and need, to include objectives, of the proposed action.

(2) A description of the proposed action.

(3) A description of the "affected environment" (for example, the baseline conditions of the environmental setting to be affected by the proposed action).

(4) Clear identification and description of the adverse environmental effects of the proposed action or project and any mitigation measures.

(5) Alternatives to the proposed action that would meet the purpose and need of the proposed action defined in (1) above, and that would create lesser adverse environmental effects. For each alternative, identify any adverse environmental effects and the respective mitigation measures that would reduce the significant adverse environmental effects.

(6) A decision analysis comparing alternatives in meeting the purpose, need, and environmental effects of the alternatives.

(7) Identification of preferred alternatives that meet the purpose and need and minimize significant adverse environmental effects.

RECORD OF ENVIRONMENTAL CONSIDERATION

To: ASG Environmental Officer

From: (Proponent)

Project or Action Title:

Brief Description:

Anticipated Date and Duration of Proposed Action:

The above proposed project or action has been reviewed for environmental impacts using the Environmental Review Guide (ERG) for USAREUR according to USAREUR Regulation 200-1. Using the ERG, it has been determined that the above action falls in the threshold indicated below:

_____ Level 1: The proposed project or action will have no significant adverse effects on the environment.

_____ Level 2: The project or action will have significant adverse environmental effects that require modification of the proposed project or action during the planning stage.

The following significant adverse environmental effects are likely to occur: (describe)

The following mitigation measures, if implemented, will reduce or avoid the severity of the environmental effects to the extent that such effects will no longer be significant: (describe)

The above-described mitigation will be accomplished as part of this proposed action. The effectiveness of this mitigation will be monitored and the results of that monitoring will be made a part of this record of environmental consideration.

_____ Level 3: Significant adverse environmental effects may occur for which mitigation is not feasible; further site- specific analysis will be conducted.**

The following significant adverse environmental effects are likely to occur: (describe)

Feasible mitigation measures do not exist to adequately reduce the adverse environmental effects of this proposed action. It has been determined, therefore, that further site-specific analysis is necessary to identify alternatives to allow accomplishing this action with a lesser level of environmental impact. This analysis will be documented and made a part of this record of environmental consideration.

Review and Signatories

(Date) (Project proponent)

(Date) (ASG commander)

(Date) (ASG environmental officer)

** Review and signature of ASG commander is required for level 3. The project proponent must secure the ASG commander signature before providing to the ASG environmental office for review and signature.

***Figure 13-1. Format for a Record of Environmental Consideration**

***This format will be used only as a guide; it will not be printed, reproduced, or stocked.**

(8) A record of decision identifying the preferred course of action. It will be made a part of the impact analysis document. The record of decision should be signed by the decisionmaker after considering and analyzing every feasible alternative.

b. ASG commanders will prepare and use an impact analysis as described in a above before choosing a course of action. The detailed, site-specific analysis and the commander's decision will be made a part of the REC.

13-7. THRESHOLD FOR APPLICATION OF THE ERG

a. The four broad categories of actions requiring environmental impact analysis in USAREUR are:

(1) Construction.

(2) Operation, maintenance, and repair activities.

(3) Stationing.

(4) Training.

b. The scope, nature, and affected environment will determine whether a proposed action is likely to cause significant adverse environmental effects and, thus, require use of the ERG.

c. Generally, the extent of the analysis should be commensurate with the scope and nature of the project. Consideration of factors that are or could be environmentally controversial (for example, endangered species habitat) will be included when making such determinations.

13-8. ENVIRONMENTAL IMPACT ANALYSES CONDUCTED UNDER EXECUTIVE ORDER 12114

Executive Order 12114 requires Federal agencies to consider and document the environmental effects of proposed actions on the quality of the human environment OCONUS. DOD Directive 6050.7 and AR 200-2, chapter 8, provide policy and guidance on the application of Executive Order 12114 and the environmental effects of major Army actions abroad.

a. Commanders of ASGs and subordinate elements will notify the DCSENGR (AEAEN-ENVR) of any proposed action that they believe may significantly affect global commons (AR 200-2, app G) or any protected natural or ecological resource of global importance.

b. The DCSENGR will determine whether the proposed actions may have such effects and coordinate any required environmental planning, considerations, analyses, and documentation according to AR 200-2, chapter 8.

13-9. ENVIRONMENTAL IMPACT ANALYSES REQUIRED BY HN LAW

Environmental impact analyses may have to be prepared when required by HN authorities to comply with European Economic Community guidelines of 27 June 1985 on assessing environmental compatibility for certain public and private projects.

CHAPTER 14
ENVIRONMENTAL CONSIDERATIONS AND ACTIONS APPLICABLE TO INSTALLATIONS BEING RETURNED TO HOST NATION

14-1. SCOPE

This chapter prescribes USAREUR policy, procedures, and guidance for environmental management and related actions that apply to installations being returned to the HN. This chapter addresses four areas related to returning installations to the HN:

a. Class I actions.

b. HM/HW disposition.

c. Storage tanks.

d. Documentation of the environmental condition of the installation.

14-2. POLICY

HQ USAREUR/7A and ASG commanders will provide environmental stewardship and ensure good management practices are implemented while inactivating units and preparing installations for their return to the respective HN. To achieve these objectives, ASG commanders will—

a. Eliminate imminent health risks and legal liability for class I environmental projects that meet the definition in paragraph 14-3a.

b. Return HMs to the supply system and dispose of HW through the DRMO.

c. Identify the contents and record known conditions of storage tanks (above and below ground). Tanks will be emptied, cleaned, and stabilized before return to the HN.

d. Prepare an environmental status report (ESR) (app C) on the installation's environmental condition.

14-3. ENVIRONMENTAL CLASS I ACTIONS

a. Environmental class I actions are those actions necessary to correct a violation of U.S. or HN environmental law or the SOFA. Class I actions are those that may be required to—

(1) Support compliance with a binding agreement under applicable HN environmental standards.

(2) Correct deficiencies cited in an inspection or notice of violation by a HN regulatory agency.

(3) Correct violations of applicable environmental standards when the date for compliance has passed.

b. Violators of environmental statutes may be subject to criminal prosecution or administrative fines. Announcement of installation closure does not relieve military and civilian personnel from potential liability pending actual closure. Commanders, however, normally are relieved of liability if class I funding is denied or withdrawn by HQ USAREUR/7A, because this denial or withdrawal of funds will shift responsibility to USAREUR.

c. ASG commanders will─

(1) Identify and review class I projects to ensure current and previously requested class I actions meet the definition in a above.

(2) Ensure that class I actions for each installation identified for return to the HN are reported through the report process in paragraph 12-6. Commanders will send updated reports to the DCSENGR (AEAEN-ENVR). An updated report may be submitted when necessary.

(3) Determine whether or not the class I project is required to eliminate an imminent threat to human health. Imminent class I human health threats will be acted on immediately. A health threat is considered imminent when either (a) or (b) below applies.

(a) Human exposure exceeding applicable human health criteria and standards over a relatively short time is probable as a result of a release of hazardous material at the installation.

(b) A situation where intrusion of contaminants into groundwater or surface water does or could threaten drinking water supplies in a relatively short time.

(4) Get recommendations from the DEH, staff judge advocate, and preventive medicine personnel to determine if an imminent health threat exists (for example, information or investigations by the 10th Medical Laboratory). While opinions of HN agencies or individuals may be relevant to the decision, they will not be considered conclusive. Consultation with the ODCSENGR (AEAEN-ENVR) will be made when questions of possible imminent health threat arise.

(5) Resolve non-imminent-threat class I projects that have not begun as explained in (a) through (c) below or report the projects to the DCSENGR. The DCSENGR (AEAEN-ENVR) will review these projects when requested by the ASG. To resolve non-imminent-threat class I projects, ASG commanders will identify and review possible solutions to determine the cheapest alternative to remedy each class I problem. In some cases, the cheapest alternative will be an operational change that does not involve expending funds. Any action that uses other than the "cheapest fix" must be reviewed by the ASG commander and approved by the DCSENGR. Possible resolutions to non-imminent-threat class I actions include the following:

(a) Determining which class I actions are intended to remedy violations that will cease with installation closure. The staff judge advocate will determine whether a change in operations will eliminate the legal liability; if it will, the violations cease when the operations cease. A change in operations may involve not using or shifting some operations from a particular facility (for example, not using washracks without POL separators, getting an HN waiver for a boiler that is out of compliance with air quality emissions standards at an installation scheduled to be closed in 4 months).

(b) Taking appropriate steps to eliminate legal liability and health risks to personnel. The ASG DEH will review each class I action with the staff judge advocate to determine the operational, technical, and legal implications of continuing, ceasing, or modifying the activity. The goal is to remove the violation, the potential liability, and the health risk. The ASG DEH and staff judge advocate will then advise the ASG commander of their findings and recommendations. Requests for more advice and assistance should be sent to the DCSENGR (AEAEN-ENVR).

(c) Reporting through command channels class I projects that have unresolved liability or health issues that cannot be fixed before closure. Commanders will request guidance from the DCSENGR (AEAEN-ENVR) and record project information and estimated costs in the ESR.

(6) Ensure contaminated sites on closing installations are not restored only because of turnover to the HN. USAREUR policy is to close installations rapidly and orderly and to direct environmental funds to those installations that will remain open. DEHs will continue to take action to resolve imminent health threats.

(7) Ensure that the execution of class I projects does not delay closure and turnback schedules. USAREUR policy is to do what is possible until closure and then inform the HN.

(8) Ensure no additional funds or resources are expended to analyze environmental conditions that will not be acted on. Do not, for example, conduct followup studies to better refine existing cost estimates for cleanup of a contaminated site on a closing installation when the nature and extent of the contamination is generally known and no imminent health threat exists. Followup studies are not considered as class I and will not be funded by HQ USAREUR/7A.

(9) Ensure applicable information and documentation is included in the ECR (part of the ESR) at turnover to the HN. This will give the HN enough information to determine whether to initiate or continue required actions to correct the situations that could threaten human health or violate HN environmental standards.

(10) For NATO-funded installations, ensure that precautionary prefinancing statements for imminent health projects are submitted to the Commander in Chief, USAREUR, ATTN: AEAEN-P-P, Unit 29351, APO AE 09014, before the contract is awarded or funds obligated. NATO sites are currently operated under the "polluter pays" principle. This policy requires the user nation to maintain the NATO facility at an acceptable standard through the servicing DEH or equivalent office. Under this policy, USAREUR treats environmental projects (for example, contaminated sites) on NATO installations the same as if located on USAREUR installations.

14-4. DISPOSITION OF HMHW

a. HW at facilities being returned to the HN must be properly disposed of before the joint U.S.-HN inspection. HW disposal is a class III must-fund expense.

b. The return of HM to the supply system also must be completed before the joint U.S.-HN inspection. Although returning HM to supply is not a class III issue, it can raise logistic problems similar to those of HW disposal that must be resolved before HN turnover. Attention to scheduling is required to avoid residual HMHW remaining at an installation at time of turnover to the HN.

c. Fuel oil and POL stocks in general are HM. If not acceptable for reuse in the supply system, fuel oil and POL products must be disposed of through DRMO as HW. In either case, fuel oil and POL must be removed from closing facilities before turnover unless the U.S. Government and the HN agency have agreed that heating fuel be left in the tanks for use after turnover.

d. Generally, the unit generating HW is responsible for providing proper packaging and labeling and for completing disposition of the HW before the joint inspection. If, however, the HMHW is still on the installation when the generating unit departs, the ASG commander and the DEH, as staff HMHW manager, will ensure that proper packaging, labeling, and disposition are carried out.

e. ASG commanders will identify their requirements and coordinate with DRMOs early in the closure process. The servicing DRMO may require substantial leadtimes and contract modifications to support an increased disposal requirement. DRMO initial response to increased disposal requirements may require taking only paperwork accountability (instead of physical custody) for HW before actual removal because of limits on storage capacity or availability of direct removal contractors. This paperwork accountability, though it may be necessary as an interim step, does not fulfill the requirements for physical removal of HMHW. Storage limits may present problems for turn-in of HM to the supply system. The chain of command must ensure that units identify and coordinate DRMO and supply needs early in the installation closure or turnback schedule.

f. To facilitate disposition of HMHW before a joint inspection, ASG commanders will—

(1) Plan early for turn-in and disposal of HMHW.

(2) Coordinate early with the servicing logistics, supply, and DRMO organizations to provide preliminary inventories and to identify requirements they may have for associated HMHW turn-in or disposal.

(3) Use the HWMB to coordinate HMHW issues.

(4) Review and update the HWMP.

(5) Prepare an updated inventory of the types of HMHW used and generated, their locations, quantities, and turn-in or disposal requirements. Organizations and activities that support military units and that generate HMHW should be included (for example AAFES, housing areas, training areas, director of personnel and community activities organizations, medical facilities, DODDS schools).

(6) Establish policy and procedures for identifying, packaging, marking, labeling, and transporting HMHW and provide this guidance to affected organizations.

(7) Emphasize turn-in to the supply system of usable materials that may be reissued for use by other organizations. These actions will reduce cost in the supply system and the amount of HW generated.

(8) Establish central turn-in points and identify the POC in the installation to oversee HMHW management actions related to the closure.

(9) Conduct inspections when necessary to ensure removal of HMHW before the joint inspection.

(10) Report to the DCSENGR (AEAEN-ENVR) on the completion of HW removal (incl identifying delays encountered and how delays will be managed) not later than 60 days before the joint inspection or turnover date.

14-5. STORAGE TANK POLICY

a. Planning for Tank Emptying and Cleaning.

(1) Aboveground and underground storage tanks must be prepared for installation turnover to the HN. This applies to every tank containing the following water-endangering substances:

(a) Antifreeze.

(b) Battery acids.

(c) New or used solvents.

(d) POL.

(2) ASG DEHs will contact the servicing real estate field office to initiate discussion with HN authorities (in Germany, *OFD* or *BVA*) on their preferences for the use of POL remaining in storage tanks after USAREUR needs have been met by transfer to nearby ASGs. If consultation with HN agencies indicates that they will have an immediate use for the tanks and they provide formal notice, it may be mutually beneficial not to drain or clean some or all of the tanks. Early coordination with the HN is needed to determine whether the storage tanks should be returned "as is" or drained and cleaned.

(3) Unless HN authorities indicate they want the tanks as they are, the storage tanks and associated piping will be returned to the HN empty and clean.

(4) It may be necessary for tank stability to leave liquid contents in place until a decision is made about the final disposition of the tanks. Tank emptying, cleaning, and removal (or any combination) should be coordinated with the ASG DEH utilities office at least 6 months before (with completion by 3 months before) the scheduled turnover inspection date.

(5) When time constraints or lack of appropriate contract vehicles prevent tank cleaning, notification to the HN through the USAREUR real estate field office will be made. Tanks generally will not be turned over to the HN as they are, scheduled closure dates will not be amended, however, solely for tank emptying or cleaning.

(6) As technical requirements and criteria and standards may vary in different locations, coordination with state and local Government agencies should be conducted to determine applicable procedures and qualified contractors.

b. Contracting for Tank Emptying and Cleaning.

(1) Storage tanks and associated piping normally will be returned to the HN empty and clean. Exceptions to this are noted in a(2) above. Depending on the nature of the stored substances, tanks may be cleaned simply by draining and flushing, or they may require physical scrubbing or steam cleaning. In every case, tanks should be visually inspected after draining to determine the type and extent of cleaning required.

(2) In some countries (for example, in Germany, per standards in the Federal Water Act) only authorized licensed firms may install, maintain, or repair and clean facilities used in the management of water-endangering substances. These firms must be used to perform emptying and cleaning of storage tanks and associated piping before return to the HN. DEH personnel will not be used to clean tanks.

c. Special Requirements in Baden-Württemberg.

(1) Storage tanks (above and below ground) and their associated piping taken out of service for less than 2 years must be emptied and cleaned. Tanks used to store mogas must be emptied and filled with nitrogen gas to eliminate an explosive hazard.

(2) USTs and their associated piping that have been out of service for more than 2 years must be emptied, cleaned, and filled with sand. If a leak detection system using interstitial liquid monitoring is used, the liquid also must be removed. There is no requirement to fill aboveground tanks with sand.

(3) There is no legal requirement to remove tanks older than 10 years based only on age. There is no legal requirement to have also *TÜV* certification when taking tanks out of service.

14-6. DOCUMENTING ENVIRONMENTAL CONDITIONS

a. ESR Requirements. ASG commanders will ensure that an ESR is prepared for each installation that is to be fully or partially returned to the HN. The ESR will fulfill USAREUR responsibility under Executive Order 12114 by documenting environmental conditions at installations. ESRs

will be prepared using existing internal information sources and contractor reports and will identify known or estimated remediation costs. These costs will be for U.S. Army archives and for use by USAREUR real estate offices during residual value negotiations. Only ECRs will be provided to HN officials. ASG commanders will ensure ESRs are prepared according to the following:

(1) A pre-inspection ESR will be prepared from 180 to 60 days before the planned joint U.S.-HN inspection (turnover of the installation) and be provided to the real estate field office. The ESR should be kept on computer disk for easy updating.

(2) A final ESR, incorporating new information or findings on environmental conditions found during the joint inspection, should be completed by 15 days after the joint inspection. Both pre-inspection and final ESRs must be provided to the real estate field office negotiators and to the DCSENGR (AEAEN-ENVR).

(3) The ESR will be a concise summary of environmental conditions at the installation based on detailed files and historical documents. The ESR will serve as an index and a guide to the contents of the environmental program files of the closing installation.

b. ESR Format. Appendix C prescribes the format for the ESR.

(1) The ESR will include a summary section entitled "Summary of Environmental Conditions" and technical information appendixes describing conditions of individual media (for example, air, water, contaminated sites).

(2) The last appendix of the ESR will include a complete list of known and estimated cleanup costs for the use of negotiators. The purpose of the appendix is to provide real estate negotiators with a best estimate of the cost for environmental cleanup actions (incl contaminated site restoration).

(3) The ESR generally should not exceed 50 pages (incl appendixes) for the largest installations; it may be as short as 3 pages (title, ECR, technical data appendixes) for small installations with no facilities and no history of environmental issues (for example, local training areas, border outposts, ammunition storage sites, radio relay sites).

c. ESR Conclusion and Findings. The ESR will include the following:

(1) A statement indicating whether or not the closure will create a requirement for additional environmental studies or analyses before turnover. (The turnover of an installation generally will not result in environmental effects significant enough to require more environmental analysis; this statement is therefore usually negative.)

NOTE: Installations that are gaining units or increasing operations because of unit restationing may experience significant environmental effects that will require separate environmental impact analyses (USAREUR Reg 210-19).

(2) Identification of environmental projects that must continue after transfer regardless of future tenant (such as class I remedial or contaminated soil removal projects that must proceed because of imminent threat to human health, the continued pumping and stripping of chlorinated hydrocarbon-contaminated groundwater that threatens drinking water sources). The ASG commander will ensure that information on such actions is included in the ESR and coordinated with the responsible real estate office where necessary to arrange for contractor entry.

(3) A summary of known and estimated costs for cleaning contaminated sites based on RCS 1383 Report project requests. This information—

(a) Will be classified For Official Use Only.

(b) Is for use only by U.S. negotiators.

(c) Will be included in appendix Z of the ESR.

d. ESR Disposition.

(1) Not later than 60 days before the joint inspection, ASG DEHs will provide a copy of the most recent pre-inspection ESR to the DCSENGR (AEAEN-RE-NS) and (AEAEN-ENVR) and the real estate field office designated for the use of U.S. negotiators during turnover procedures and real property negotiations with the HN.

(2) Once the final ESR is prepared, a copy will be provided to the DCSENGR (AEAEN-RE-NS) and the responsible real estate field office. A separate copy must be sent to the DCSENGR (AEAEN-ENVR).

(3) Because the ESR provides the environmental closeout record of the installation, a copy will be kept by the environmental management office of the supporting ASG DEH.

14-7. FUNDING POLICY FOR CLOSURE

In accordance with DOD and HQDA policy, USAREUR will expend no funds once an installation is announced for closure and return to the HN unless an imminent health threat exists that must be corrected through a remediation or restoration project. It should be noted that according to DOD, DA, and USAREUR policy, disposal of HW is considered a "must-fund" requirement regardless of whether or not an installation is closing.

APPENDIX A
HOST NATION LAWS, REGULATIONS, AND AGREEMENTS

A-1. PURPOSE
This appendix lists standards derived from laws, regulations, and agreements that apply primarily to Germany. Commanders of USAREUR Forces outside Germany will compile standards from the laws, regulations, and agreements that apply to their host nations.

A-2. STATE LAWS
Although some state (*Land*) regulations have been listed, this compilation is principally one of Federal laws, regulations, and agreements. All German states and many communities have legislation and ordinances proscribing conduct injurious to the environment. They are too numerous to list, but generally deal with waste disposal and water and noise pollution. Violations of these proscriptions may subject the offender to large administrative fines. Local commanders in Germany should supplement this section with the important state and local environmental statutes that apply in their areas (and which may supersede Federal law).

A-3. GERMAN LAW, REGULATIONS, AND AGREEMENTS
The following German laws and regulations, multi-lateral agreements, and agreements between Germany and the U.S. Forces contain standards that may apply to this regulation:

a. General. These apply throughout the regulation:

(1) Supplementary Agreement with Germany to the NATO SOFA, 3 August 1959.

(2) *Strafgesetzbuch, Abschnitt* 28, 324-330D (German Criminal Code, sections 324-330D). A translation is available in USAREUR Pamphlet 550-19.

(3) *Auftragsbautengrundsätze* 75 (*ABG* 75). Administrative agreement with the Federal Ministry of Regional Planning, Building, and Urban Development concerning construction (based on article 49 of the NATO SOFA Supplementary Agreement).

b. Water Resources.

(1) *Wasserhaushaltsgesetz* (The Federal Water Act). This act obligates everyone to perform activities that may affect a water body with appropriate care to prevent water pollution and detrimental changes to the water's characteristics, and to use water as sparingly as possible to support water economy. Under this law, the following important requirements exist:

(a) Use of water requires a permit, unless the provisions of this law or state regulations enforced within the framework of this law allow otherwise. Depending on the situation, different types of permits may be required (paras 7 and 8 of the Federal Water Act).

(b) Sewage treatment plants will, with consideration of use-conditions and restrictions for discharge of waste water, be built and operated according to the current state of the art.

(c) Water protection areas may be established as far as the public welfare demands it. In water protection areas certain actions may be prohibited or declared permissible only under certain conditions. Measures for monitoring of water and soil may be required.

(d) Facilities for storing, filling, producing, treating, and handling water-endangering substances will be in a condition and installed, built, maintained, and operated in a way that avoids pollution of water bodies or any otherwise detrimental change of their characteristics.

(e) Facilities for storing, filling, producing, treating, and handling of water-endangering substances will be continuously controlled for density and the operational readiness of safety devices. Facilities will furthermore be inspected for operational conditions by certified experts (*Technischer Überwachungsverein (TÜV)*) or by qualified persons according to the pertinent state water law. These inspections will take place—

1. Before startup of the facility or after a substantial change.

2. At least every 5 years (in case of underground storage in water protection areas, every 2½ years after the last inspection).

3. Before the reactivation of a plant that has been out of use for more than 1 year.

4. When the inspection is ordered because a possible water pollution is feared.

5. When the facility is shut down.

(f) Persons filling or emptying a facility for the storage of water-endangering substances will monitor this procedure closely and inspect the required safety devices before beginning work. Safety devices will be inspected to ensure they are in proper condition. The permissible operational limits of the facilities and safety devices must be maintained while filling and emptying the facility.

(2) *Trinkwasserverordnung (TrinkwV)* (Drinking Water Ordinance).

(3) *Beförderung auf dem Rhein, Verordnung zur Einführung der Verordnung über die Beförderung gefährlicher Güter auf dem Rhein (ADNR) und über die Ausdehnung dieser Verordnung auf die übrigen Bundeswasserstraßen (Gefahrgutverordnung-Binnenschiffahrt-GGVBinSch)* (Transportation on the Rhine, Ordinance for the Introduction of the Ordinance on the Transportation of Dangerous Goods on the Rhine and on the Extension of This Ordinance to the Other Federal Waterways (Ordinance on Hazardous Goods - Inland Waterways)).

(4) Outfall Sewage Lines Agreement of 1981.

(5) Sewer Systems Agreement of 30 April 1982 Between the Federal Ministry of Finance and the U.S. Forces Stationed in Germany.

c. Air Pollution.

(1) *Bundesimmissionsschutzgesetz* (The Federal Emission Control Law).

(2) *Erste Allgemeine Verwaltungsvorschrift zum Bundesimmissionsschutzgesetz (Technische Anleitung zur Reinhaltung der Luft - TA Luft*) (First General Administrative Regulation to the Federal Emission Control Law (Technical Instruction on the Maintenance of Air Purity)).

(3) *Erste Verordnung zur Durchführung des Bundesimmissionsschutzgesetzes (Verordnung über Kleinfeuerungsanlagen - 1.BImSchV)* (First Ordinance for the Implementation of the Federal Emission Control Law (Ordinance on Small Combustion Systems)).

(4) *Zweite Verordnung zur Durchführung des Bundesimmissionsschutzgesetzes* (*Verordnung zur Emissionsbegrenzung von leichtflüchtigen Halogenkohlenwasserstoffen - 2.BImSchV*) (Second Ordinance for the Implementation of the Federal Emission Control Law (Ordinance Limiting the Emission of High-Volatile Halogenated Hydrocarbons)).

(5) *Dritte Verordnung zur Durchführung des Bundesimmissionsschutzgesetzes (Verordnung über Schwefelgehalt von leichtem Heizöl und Dieselkraftstoff -3.BImSchV*) (Third Ordinance for the Implementation of the Federal Emission Control Law (Ordinance on the Sulfur Content in Light Fuel Oil and Diesel Oil)).

d. Hazardous Materials, and Solid and Hazardous Wastes.

(1) *Gesetz über die Vermeidung und Entsorgung von Abfällen, Abfallgesetz (AbfG)* (The Federal Waste Law).

(2) *Verordnung zur Bestimmung von Abfällen nach Paragraph 2 Absatz 3 des Abfallgesetzes (Abfallbestimmungsverordnung - AbfBestV)* (Ordinance for the Identification of Wastes Pursuant to Paragraph 2 Subparagraph 3 of the Waste Law (Waste Identification Ordinance)).

(3) *Allgemeine Abfallverwaltungsvorschrift über Anforderungen zum Schutz des Grundwassers bei der Lagerung und Ablagerung von Abfällen* (General Waste Management Regulation on Requirements Concerning the Protection of the Groundwater When Storing and Depositing Wastes).

(4) *Verordnung zur Bestimmung von Reststoffen nach Paragraph 2 Absatz 3 des Abfallgesetzes (Reststoffbestimmungsverordnung - RestBestV)* (Ordinance for the Identification of Residues Pursuant to Paragraph 2 Subparagraph 3 of the Waste Law (Residue Identification Ordinance)).

(5) *Verordnung über das Einsammeln und Befördern sowie über die Überwachung von Abfällen und Reststoffen (Abfall-und Reststoffüberwachungsverordnung - AbfRestÜberwV)* (Ordinance for the Collection and Transportation as Well as for the Monitoring of Wastes and Residues (Waste and Residue Monitoring Ordinance)).

(6) *Gesetz zum Schutz vor gefährlichen Stoffen (Chemikaliengesetz - ChemG)* (Law for the Protection From Dangerous Substances (Toxic Substances Control Law)).

(7) *Verordnung über Anlagen zur Lagerung, Abfüllung und Beförderung brennbarer Flüssigkeiten zu Lande (Verordnung über brennbare Flüssigkeiten - vbF)* (Ordinance Governing Facilities for Storage, Filling, and Transportation of Flammable Liquids by Land (Ordinance on Flammable Liquids)).

(8) *Verordnung über gefährliche Stoffe (Gefahrstoffverordnung - GefStoffV)* (Ordinance on Dangerous Substances).

(9) *Gesetz über die Beförderung gefährlicher Güter* (Ordinance on the Transportation of Dangerous Goods).

(10) *Verordnung über die innerstaatliche und grenzüberschreitende Beförderung gefährlicher Güter auf Straßen (Gefahrgutverordnung Straße - GGVS)* (Ordinance on the Internal and Border-Crossing Transportation of Dangerous Goods on Roads).

(11) *Verordnung über die innerstaatliche und grenzüberschreitende Beförderung gefährlicher Güter mit Eisenbahnen (Gefahrgutverordnung Eisenbahn - GGVE)*

(Ordinance on the Internal and Border-Crossing Transportation of Dangerous Goods by Rail).

(12) *Verordnung zum Verbot von polychlorierten Biphenylen, polychlorierten Terphenylen und zur Beschränkung von Vinylchlorid (PCB-, PCT-, VC-Verbotsverordnung)* (Ordinance for the Prohibition of Polychlorinated Biphenyls, Polychlorinated Terpheynls, and for the Limitation of Vinyl Chloride).

(13) *Pentachlorphenolverbotsverordnung (PCP-V)* (Ordinance for the Prohibition of Pentachlorophenol).

(14) *Verordnung über Anwendungsverbote für Pflanzenschutzmittel (Pflanzenschutz-Anwendungsverordnung)* (Ordinance on Prohibited Uses of Plant Protection Products (for example, herbicides, pesticides, fungicides)).

(15) *Pflanzenschutz-Sachkundeverordnung* (Ordinance Relating to Expert Knowledge of Plant Protection).

(16) *Allgemeine Verwaltungsvorschrift über die nähere Bestimmung wassergefährdender Stoffe und ihre Einstufung entsprechend ihrer Gefährlichkeit - VwV wassergefährdende Stoffe (VwVwS)* (General Administrative Regulation on the Identification of Water-Polluting Substances and Their Classification According to Their Dangerous Nature).

(17) *Gewerbeordnung* (Federal Trade Law). Part II describes the oversight and permitting requirements for certain plants or installations (incl facilities for storing, filling, and transporting flammable liquids).

(18) *Verordnung über Anlagen zum Lagern, Abfüllen und Umschlagen wassergefährdender Stoffe und die Zulassung von Fachbetrieben* (State ordinance in Hessen and Bayern on facilities for storing, filling, and handling water-endangering substances and the permission of qualified firms).

(19) *Strahlenschutzvorsorgegesetz* (The Radiation Protection Law).

(20) See also b(1) and (3) above.

e. Noise. *Ordnungswidrigkeitengesetz* (The Law Concerning Violations of Good Order). Section 117 proscribes unnecessary noise.

f. Spills.

(1) *Verordnung über den Schutz vor Schäden durch die Beförderung gefährlicher Güter auf der Straße* (Ordinance for the Protection Against Damages Caused by the Transportation of Hazardous Goods by Road).

(2) *Rahmenempfehlungen für Einsatzmaßnahmen nach Unfällen mit wassergefährdenden Stoffen* (Outline Recommendations for the Intervention in Case of Accidents With Water-Polluting Substances).

(3) *Empfehlungen über die Aufstellung von Alarm- und Einsatzplänen für die Bekämpfung von Unfällen bei Lagerung und Transport wassergefährdender Stoffe* (Recommendations Relating to the Drawingup of Notification and Intervention Plans for Accidents in Connection With the Storage and Transportation of Water-Polluting Substances).

(4) See also b(1) and (d)(3), (5), (6), (7), and (16) above.

g. Asbestos.

(1) *Richtlinie des Rates vom 19. September 1983 über den Schutz der Arbeitnehmer gegen Gefährdung durch Asbest am Arbeitsplatz (Zweite Einzelrichtlinie im Sinne des Artikels 8 der Richtlinie 80/1 107/EWG) (83/477/EWG) (Amtsblatt EG Nr. 283, Seite 25)* (Guideline of the Commission from 19 September 1983 on Protection of Employees Against Dangers Caused by Asbestos at the Workplace (Second Separate Guideline as Defined in Article 8 of the Guideline 8/1107/EWG) (83/477/EWG) (Journal EG No. 283, page 25)).

(2) *ZH 1/513 Sicherheitsregeln für das Entfernen von Asbest* (Safety Requirements for Asbestos Removal).

(3) See also c(3) above.

h. Other Environmental Programs.

(1) *Gesetz über Naturschutz und Landschaftspflege (Bundesnaturschutzgesetz - BNatSchG)* (The Federal Nature Conservation Act).

(2) *Verordnung zum Schutz wildlebender Tier- und Pflanzenarten (Bundesartenschutzverordnung - BArtSchV)* (The Federal Ordinance for the Protection of Wild Fauna and Flora).

(3) *Gesetz zur Erhaltung des Waldes und zur Förderung der Forstwirtschaft (Bundeswaldgesetz)* (The Federal Forest Act).

(4) *Gesetz zum Schutz der Kulturpflanzen (Pflanzenschutzgesetz)* (The Plant Protection Act)

APPENDIX B
REFERENCES

Montreal Protocol of 16 September 1987.

1969 Agreement Concerning the Connection to Municipal Sewage Systems of Accommodations Owned by the Federal Republic and Made Available to the U.S. Forces.

Public Law 98-407 (10 USC 2692).

Asbestos Hazard Emergency Response Act of 1986.

Occupational Safety and Health Act of 1970 (29 CFR 1910.20).

Safe Drinking Water Act, as amended (42 USC 1441, et seq.).

Toxic Substances Control Act (TSCA), as amended (15 USC 2601).

29 CFR 1910, Occupational Safety and Health Standards.

29 CFR 1910.12, Hazard Communication (HAZCOM) Program.

29 CFR 1917, Marine Terminal.

29 CFR 1926, OSHA Asbestos Standard.

Executive Order 12088, Federal Compliance with Pollution Control Standards, 13 October 1978.

Executive Order 12114, Environmental Effects Abroad of Major Federal Actions.

Twelfth Regulation for Implementation of the Federal Emission Control Law.

USEUCOM Directive 61-6, Protection and Enhancement of Environmental Quality.

Uniform Code of Military Justice (UCMJ), Article 92.

DOD Directive 4700.20, The Secretary of Defense Awards for Natural Resources and Environmental Management.

DOD Directive 5100.50, Protection and Enhancement of Environmental Quality.

DOD Directive 6050.7, Environmental Effects Abroad of Major Federal Actions.

DOD Directive 6050.9, Chlorofluorobons (CFC) and Halons.

DOD Directive 6050.16, DOD Policy for Establishing and Implementing Environmental Standards at Overseas Locations.

DOD Manual 4160.21, Defense Utilization and Disposal Manual.

AR 27-50, Status of Forces Policies, Procedures, and Information.

AR 40-5, Preventive Medicine.

AR 55-355, Defense Traffic Management Regulation.

AR 200-1, Environmental Protection and Enhancement.

AR 200-2, Environmental Effects of Army Actions.

AR 360-5, Public Information.

AR 385-10, The Army Safety Program.

AR 385-11, Ionizing Radiation Protection.

AR 385-64, Ammunition and Explosives Safety Standards.

AR 415-15, Military Construction Army (MCA), Program Development.

AR 420-46 with USAREUR Supplement 1, Water and Sewage.

AR 420-47, Solid Waste Management.

AR 420-74 with USAREUR Supplement 1, Natural Resources: Land, Forest, and Wildlife Management.

AR 420-76, Pest Management Program.

AR 500-60, Disaster Relief.

AR 700-136, Land-Based Water Resources Management in Contingency Operations.

AR 710-2, Supply Policy Below the Wholesale Level.

DA Pamphlet 385-3, Protective Clothing and Equipment.

Technical Manual 5-660, Maintenance and Operation of Water Supply, Treatment, and Distribution Systems.

Technical Manual 5-813 series, Water Supply.

Technical Manual 9-1300-206, Ammunition and Explosives Standards.

Technical Bulletin 55-1900-206-14, Control and Abatement of Pollution by Army Watercraft.

Technical Bulletin MED 576, Occupational and Environmental Health: Sanitary Control and Surveillance of Water Supplies at Fixed Installations.

Technical Bulletin MED 577, Occupational and Environmental Health: Sanitary Control and Surveillance of Field Water Supplies.

HQDA policy memorandum, 16 April 1991, subject: Funding Policy for the Army Environmental Compliance Achievement Program (ECAP).

USAREUR Regulation 10-5, HQ USAREUR/7A Responsibilities and Functions.

USAREUR Regulation 55-4, Joint Transportation of Hazardous Materials.

USAREUR Regulation 210-19, Installation-Consolidations, Realignments, Reductions, and Closures.

USAREUR Regulation 350-22, Maneuver and Field Training Exercise Rights in the Federal Republic of Germany.

USAREUR Regulation 385-12, Radiation Protection Program.

USAREUR Regulation 420-49, Facilities Engineering Fuel and Heating System Policy.

USAREUR Regulation 600-1, Regulated Activities of Members of the U.S. Forces, Civilian Component, and Family Members.

USAREUR Pamphlet 11-28, Economic Analysis Handbook.

USAREUR Pamphlet 27-2, Processing Claims Under the North Atlantic Treaty Organization Status of Forces Agreement.

USAREUR Pamphlet 550-19, Compilation of Selected German Laws.

A Noise Management Handbook for USAREUR Noise Management Program (U.S. Army Corps of Engineers Institute for Water Resources).

Army Radon Reduction Program Instruction Manual for Field Personnel (U.S Army Engineering and Housing Support Center).

Environmental Review Guide (U.S. Army Construction Engineering Research Laboratory).

The Complaint Management Handbook (U.S. Army Corps of Engineers Institute for Water Resources).

APPENDIX C
ENVIRONMENTAL STATUS REPORT FORMAT

C-1. REQUIRED COMPONENTS

An environmental status report (ESR) will include the following:

a. A title page.

b. Section I, which will be the environmental condition report (ECR). It will summarize information in each of the appendixes.

c. Section II, which will list technical data appendixes.

C-2. REQUIRED FORMAT

Figure C-1 is an ESR format. The glossary explains abbreviations used in the figure.

ENVIRONMENTAL STATUS REPORT
U.S. Military Installation: [name of installation]
ARLOC:]

[Pre-inspection or Final]

COMPLETED: [date]

Figure C-1. Format for Environmental Status Reports

SECTION I
ENVIRONMENTAL CONDITION REPORT

[Installation Name]

1.1 Purpose. To summarize the environmental records, programs, and technical information on conditions at [name of installation, ARLOC].

1.2 Installation Description and Background. Briefly describe the installation, its historical use over time, the type of military units assigned there, and where more detailed information can be found. The information should include the year U.S. Forces first occupied the installation, the types of units stationed there (no unit identifying numbers), and a summary of any unusual environmental issues.

1.3 Summary of Environmental Conditions. This is the heart of the ECR. It is the summary of the significant findings from the ESR technical media-specific appendixes, which are summaries of the historical files and records. Provide a short summary of each technical appendix. The ECR should always include the following:

1.3.1 Fuel and Oil Storage Tanks. List storage tanks, above and below ground (extracted from app A). Include maps or exact descriptions of storage tanks as attachment 1 to the ECR. If none, say so.

1.3.2 Contaminated Sites. List confirmed contaminated sites (from app Z). Include maps or exact descriptions of these sites as attachment 2 to the ECR. If none, say so.

1.3.3 Summary of Significant Findings From Each Technical Appendix. If none, say so. If information is not available, state "no information available." An example of how the summary of findings may be stated is as follows:

A. Asbestos. "Building 36, utility room at the SW corner of the building, was found to contain friable asbestos. That condition was remedied in 1987 (see app D). No other buildings on the installation were found to contain conditions requiring removal of asbestos."

B. Sewer Conditions: Suspected collapsed 65-feet length of sewer line at (precise location), resulting in possible soil/groundwater pollution."

NOTE: If no radon or asbestos surveys have been conducted or were only partially completed, say so.

1.3.4 Results of Joint Inspection. List significant findings, if any, of the joint inspection from appendix Y in the final ESR. If none, say so.

1.4 Findings and Determinations. Use the following statements, as applicable:

1.4.1 In accordance with U.S. Army regulations, I have determined that turnover of this installation will not result in environmental impacts significant enough to require additional environmental studies or analysis.

NOTE: If for any reason the DEH feels that the statement should say "turnback will result in a need for additional ...." the DEH should contact the DCSENGR (AEAEN-ENVR) to discuss environmental issues of concern before making a positive determination and releasing the ESR.

1.4.2 There are no environmental actions or restoration projects that will continue after the return of [name of installation] to the host nation.

1

Figure C-1. Format for Environmental Status Reports—Continued

NOTE: If there are restoration or contaminated site cleanup projects that will continue after the closure, include the following statement: "The following environmental actions or projects must continue after transfer to host nation because of imminent threat to human health or safety: (describe conditions and projects, citing the appendix where more detail is found)." It should be noted that such circumstances are rare and are intended to describe only those actions that fit the imminent health threat criterion.

_____
DEH signature block

Attachments

Date _____

1. List of Storage Tanks and Map of Tank Locations
2. Contaminated Sites and Locations

SECTION II
ENVIRONMENTAL STATUS REPORT TECHNICAL APPENDIXES FOR [Installation Name]

	Page No.
2.1 Purpose	-2-
2.2 Installation Description	-2-
2.3 Findings and Determinations	-2-
2.4 Appendixes Listing	-3-
2.5 Location of Records and Files	-3-

2.1 Purpose. This ESR summarizes the environmental data records for [name of installation]. This ESR consists of the title page, an executive summary (called the Environmental Condition Report), and a series of appendixes on the environmental programs and actions at [name of installation]. The location of the installation DEH files containing reports, projects, and surveys is in appendix X.

2.1.1 Purpose of Appendixes. The appendixes support the ECR for [name of installation]. The ECR is based on a series of media-specific appendixes (para 2.4). Supporting the appendixes, and cross-referenced to them, are the actual historical files that provide detailed information on the environmental programs and issues at the installation.

2.1.2 Known and Estimated Costs for Cleanup. The cost for cleanup of contaminated sites is in appendix Z. Appendix Z, and this document while appendix Z is attached to it, are classified For Official Use Only.

NOTE: Cleanup costs for contaminated sites will always be provided only in appendix Z. Appendix Z will always be the last appendix in the ESR.

2.2 Installation Description. Provide brief history and description (should be same as ECR, para 1.2).

2

Figure C-1. Format for Environmental Status Reports—Continued

2.3 Findings and Determinations.

2.3.1 According to USAREUR Regulation 200-1, I have determined that turnover of this installation [will/will not] have enough significant environmental effects to require more environmental studies.

2.3.2 There are no environmental actions or restoration projects that will continue after the return of [installation name] to the host nation.

NOTE: If there are any restoration or other cleanup projects that will continue after the closure, include the following statement instead of the preceding sentence:

"The following environmental actions or projects must continue after transfer to host nation because of imminent threat to human health or safety: [describe project].

NOTE: These circumstances are rare and are intended to describe only those corrective actions that fit the imminent health-threat criterion. Describe conditions and project location; provide reference to the appendix where more details can be found.

2.4 Appendix Listing. The following appendixes describe media-specific environmental conditions:

Appendix A--Underground Storage Tanks
Appendix B--Sewer Conditions
Appendix C--Sewage Treatment Plant Conditions and Operating Records
Appendix D--Asbestos Survey and Abatement Records
Appendix E--Landfills in Use, Operational Data
Appendix F--Landfills Closed, Monitoring Records
Appendix G--Air Pollution
Appendix H--Erosion, Deforestation, or Other Natural Resource Damage
Appendix I--Radon Surveys and Abatement Records
Appendix J--Drinking Water
Appendix K--Hazardous Wastes/Hazardous Materials
Appendix L - Presence of PCBs
Appendixes M through W--Available to be used as appropriate
Appendix X--Identification Codes for Environmental Files
Appendix Y--Results of U.S.-Host Nation Joint Inspection
Appendix Z--Soil and Groundwater Contamination Sites
Appendix Z-1—Known Sites, Known and Estimated Cleanup Costs
Appendix Z-2—Suspected Sites

2.4 Location of Records and Files. The files on which this ESR is based are located at (location, identify directorate of engineering and housing). The files are identified by file number according to the identification codes at appendix X. If a complete closure of a community served by a base support battalion is planned, the records will be maintained at the [number] Area Support Group, [location, city, state].

_____
Signature of DEH or designee

Date _____

3

Figure C-1. Format for Environmental Status Reports—Continued

C-3. APPENDIXES TO THE ESR

a. Appendixes to the ESR will be based on records available at the area support group (ASG), including—

(1) Report records.

(2) Environmental Pollution Prevention and Control and Abatement at DOD Facilities Report (requirement control symbol DDP&L 1383) records.

(3) 10th Medical Laboratory reports.

(4) Environmentally-related reports from any source.

(5) Host nation and staff assistance visit inspection reports.

(6) Regulatory agency correspondence.

(7) Historical environmental compliance funding documents.

(8) Results of site inspections.

b. Specific information sources for the appendixes include—

(1) Appendix A--Underground Storage Tanks.

(a) A site map showing where fuel storage tanks and facilities are (both above and below ground) and including those for fuel oil, waste oil, and other petroleum, oils, and lubricants products.

(b) A list of tanks and facilities that indicates their status (for example, empty and cleaned; empty, cleaned and filled with sand) and inventory records of what they held.

(c) Testing records for underground tanks.

(d) A map showing former sites for fuel and POL storage tanks and facilities (incl coal yards). Include any known or suspected contaminated sites from any current or former fuel or POL tank or facility in appendix Z.

(2) Appendix B--Sewer Conditions. Results of sewer surveys describing conditions of existing sewers.

(3) Appendix C--Sewage Treatment Plant Conditions and Operating Records. Examine records for indication of mechanical rather than operator failures.

(4) Appendix D--Asbestos Survey and Abatement Records. Self-explanatory.

(5) Appendix E--Landfills in Use, Operational Data. Possible contamination is the issue.

(6) Appendix F--Landfills Closed, Monitoring Records. Review for indications of contamination, surface water, soil and ground water.

(7) Appendix G--Air Pollution. Air pollution emission testing and records.

(8) Appendix H--Erosion, Deforestation, or Other Natural Resource Damage. Self-explanatory.

(9) Appendix I--Radon Surveys and Abatement Records. Self-explanatory.

(10) Appendix J--Drinking Water. Drinking water test records that indicate possible physical or chemical failure.

(11) Appendixes L--Presence of PCBs.

(a) Report results of polychlorinated biphenyl (PCB) surveys. List and give locations of transformers or other PCB-containing sources that—

1. Are known to contain PCB.

2. Have not been confirmed as containing or not containing PCBs.

(b) If PCB records cannot be found or if no surveys were conducted, state "existence or nonexistence of PCBs in transformers or other possible sources cannot be determined from the information available."

(12) Appendixes M through W. The appendixes will be used as appropriate.

(13) Appendix X--Identification Codes for Environmental Files. Identify files by an ASG or base support battalion name and file number. There is no requirement to use any particular code, but the code must allow any future auditor or reader of the ESR to find an audit trail to the original file sources.

(14) Appendix Y--Results of U.S.-Host Nation Joint Inspection. Only the final ESR will include an appendix Y. It will include comments or new information found during the joint inspection.

(15) Appendix Z--Soil and Groundwater Contamination Sites.

(a) Appendix Z-1--Known Sites, Known and Estimated Clean-up Costs. Self-explanatory.

(b) Appendix Z-2--Suspected Sites. Known and estimated costs for cleanup of contaminated sites will be in this appendix. Because this appendix may include environmental project costs or firm estimates, the appendix must be labeled "For Official Use Only."

c. Appendix Z should be based on at least the review and analysis of the following sources:

(1) USAREUR Contaminated Sites Inventory (maintained by the DCSENGR (AEAEN-ENVR)).

(2) Contaminated sites studies and remedial action records.

(3) Historical location of hazardous waste and material inventories (information should be found in appropriate sections of the spill prevention, control, and countermeasure plan, and hazardous waste management plan).

(4) PCB surveys, retrofit, and disposal records.

(5) Records of spill response actions (possible source of residual contaminants).

(6) Underground storage tank inventories and testing records.

(7) Landfill use, closure records, and monitoring information.

GLOSSARY

SECTION I
ABBREVIATIONS

AAFES	Army and Air Force Exchange Service
ABG 75	*Auftragsbautengrundsätze 75*
ACM	asbestos-containing material
AHERA	Asbestos Hazard Emergency Response Act of 1986
AR	Army regulation
ARLOC	Army location code
ARRP	Army Radon Reduction Program
ASG	area support group
BSB	base support battalion
BVA	*Bundesvermögensamt* (German Federal Assets Office)
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
COB	command operating budget
CONUS	continental United States
CPA	Chief, Public Affairs, USAREUR
CPO	civilian personnel officer
CRAC	community relations advisory council
CRT	community response team
CSCP	community spill contingency plan
CSURG	Chief Surgeon, USAREUR
DA	Department of the Army
DCO	Defense Cost Office
DCSENGR	Deputy Chief of Staff, Engineer, USAREUR
DCSHNA	Deputy Chief of Staff, Host Nation Activities, USAREUR
DCSLOG	Deputy Chief of Staff, Logistics, USAREUR
DCSOPS	Deputy Chief of Staff, Operations, USAREUR
DCSPER	Deputy Chief of Staff, Personnel, USAREUR
DCSRM	Deputy Chief of Staff, Resource Management, USAREUR
DEH	director of engineering and housing
DOD	Department of Defense
DODAAC	Department of Defense activity address code
DODDS	Department of Defense Dependent Schools
DOL	director of logistics
DRMO	Defense Reutilization and Marketing Office
DRMR-E	Defense Reutilization and Marketing Region, Europe
DUCS	data base of USAREUR contaminated sites
DWSP	Drinking Water Surveillance Program
EA	executive agent
ECAP	Environmental Compliance Achievement Program
ECAS	environmental compliance assessment system
ECCC	Environmental Claims Coordinating Committee
ECR	environmental condition report
EPA	U.S. Environmental Protection Agency
EQCC	environmental quality control committee
ERG	Environmental Review Guide
ESR	environmental status report
FGS	final governing standards
HAZCOM	hazard communication
HAZMIN	hazardous waste minimization
HHRA	health-hazard risk assessment
HHW	household hazardous waste
HM	hazardous material
HMHW	hazardous material or hazardous waste
HN	host nation
HQDA	Headquarters, Department of the Army
HQ USAREUR/7A	Headquarters, United States Army, Europe, and Seventh Army
HW	hazardous waste
HWAP	hazardous waste accumulation point
HWGA	hazardous waste-generating activity
HWMB	hazardous waste management board
HWMP	hazardous waste management plan
HWPS	hazardous waste profile sheet
HWSA	hazardous waste storage area
IMM	integrated materiel manager
IPM	integrated pest management
JA	Judge Advocate, USAREUR
MCA	military construction, Army
MDEP	management decision package
MIPR	military interdepartmental purchase request
MSDS	material safety data sheet
NATO	North Atlantic Treaty Organization
NBC	nuclear, biological, and chemical
NRMP	natural resource management plan
O&M	operations and maintenance
OCONUS	outside of the continental U.S.
ODS	ozone-depleting substances
OFD	*Oberfinanzdirektionen* (regional representatives to the German Federal Ministry of Finance)
OSHA	Occupational Safety and Health Act
PAO	public affairs officer
PARR	program analysis resource review

PCB	polychlorinated biphenyl
pCi/l	picocuries per liter
PEP	propellant, explosive, and pyrotechnic materials
PL	public law
PLM	polarized light microscopy
POC	point of contact
POL	petroleum, oils, and lubricants
POM	program objective memorandum
ppm	parts per million
R&D	research and development
RAMP	remedial action/monitoring phase
RAPP	risk assessment/prioritization phase
RCS	requirement control symbol
REC	record of environmental consideration
ROWPU	reverse osmosis water purification unit
RPP	Radiation Protection Program
SDWA	Safe Drinking Water Act
SEM	scanning electron microscopy
SHW	solid and hazardous wastes
SHWM	solid and hazardous waste management
SOFA	Status of Forces Agreement
SOH	safety and occupational health
SOP	standing operating procedure
SPCCP	spill prevention control and counter-measures plan
TB	technical bulletin
TCSA	Toxic Substances Control Act
TEM	transmission electron microscopy
TM	technical manual
TrinkwV	*Trinkwasserverordnung* (German drinking water regulation)
TÜV	*Technischer Überwachungsverein*
U.S.	United States
UERP	USAREUR Environmental Restoration Program
USAFE	United States Air Forces in Europe
USAREUR	United States Army, Europe
USC	United States Code
USEUCOM	United States European Command
USFLO	U.S. forces liaison office
USNAVEUR	United States Naval Forces, Europe
UST	underground storage tank

SECTION II
TERMS

accumulation point
An area near the point of generation where hazardous wastes are temporarily stored until they can be removed for disposition through the servicing Defense reutilization and marketing office.

capacitor
A device for accumulating and holding a charge of electricity. It consists of conducting surfaces separated by a dielectric.

confirmed contaminated sites
Sites where clear visual, historical, or scientific information exists to verify the existence of contamination from U.S. Army activities.

consumption
Annual production and imports of ozone-depleting substances less exports to signatory nations to the Montreal Protocol.

disposal
The removal of hazardous waste from the accumulation points through the servicing Defense reutilization and marketing office or alternate approved source.

environmental impact analysis
The process of gathering, analyzing, and documenting information on the environmental effects of proposed actions. May refer to the actual analysis document.

environmental review guide
A five-volume document that provides instructions for preparing environmental impact analyses in USAREUR.

generator
A person, activity, unit, or agency that produces hazardous waste.

hazardous material
Any material that, based on either chemical or physical characteristics (for example, corrosive, explosive, flammable, reactive, toxic), is capable of posing an unreasonable risk to human health or the environment if improperly disposed of, handled, stored, or transported. Hazardous material is also any material regulated by host nation authorities as hazardous, "special" toxic, or as specified by DA or USAREUR policy.

hazardous material information system
The computer-based information system developed to provide information (for example, physical characteristics) on hazardous materials used by DOD.

hazardous waste
Any discarded material (solid, liquid, or gas) that—

a. Has no further value to the user.

b. Cannot be reused or recycled.

c. Is potentially harmful to human health or the environment because of its quantity, concentration, or biological, chemical, or physical characteristics.

hazardous substance
A substance that is potentially harmful to human health or the environment because of its quantity, concentration, or biological, chemical, or physical characteristics.

hazardous waste profile sheet
A document that identifies and characterizes waste and explains the physical, chemical, and other descriptive properties and processes that make a material a hazardous waste.

hazardous waste manager
A person or office assigned the responsibility for the area support group or base support battalion hazardous waste program.

hazardous waste storage area
A place where at least 206 liters (55 gallons) of hazardous waste of one waste stream is stored before shipment for disposal. A "conforming hazardous waste storage area" is an area that meets host nation criteria for storage of hazardous waste.

host nation standards of general applicability
Standards established directly (in federal framework legislation) or indirectly (state, provincial, or local laws and regulations implementing the federal legislation and establishing environmental standards) according to legislation or regulation at the national level.

imminent health threat
Either a or b below:

a. Confirmed sites where intrusion of contaminants into groundwater or surface water does or has the potential to threaten drinking water supplies in a relatively short period of time.

b. Human exposure exceeding applicable human health criteria and standards over a relatively short time is probable as a result of a release of hazardous material at the installation.

integrated materiel manager
Synonymous with item manager. The integrated materiel manager carries out assigned materiel management functions for selected items or selected federal supply classification classes. (The Defense Logistics Activity is the integrated materiel manager for chlorofluorocarbons and halons.)

leak or leaking
Any instance in which a polychlorinated biphenyl (PCB) article, PCB container, or PCB equipment has any PCBs on any portion of its external surface.

leaking tank
A tank in which the substance that should be stored inside the tank accumulates in between the double walls (if it is a double-walled tank) or appears outside of a single-wall tank.

local purchase
Authorized purchase of supplies requested by a supply support activity for its own use or for issue to a supported activity in place of requisitioning through the supply distribution system.

material safety data sheet
A form used by manufacturers of chemical products to inform users about the chemical, physical, and hazardous properties of the product.

mitigation
Action taken to avoid, reduce, or correct adverse environmental effects of a particular proposed action. Levels of mitigation include, but are not limited to, the following:

a. Avoiding. Avoiding the effect by not taking a certain action or parts of an action (for example, planning training operations to avoid stream crossings by tracked vehicles).

b. Minimizing. Reducing effects to the lowest level by limiting the size or intensity of an action and its implementation (for example, allowing tracked vehicles to cross only at designated improved stream crossings to avoid increased streambank erosion from unlimited access, changing firing times or number of rounds fired to reduce noise).

c. Rectifying. Correcting the effect by repairing, rehabilitating, or restoring the effected environment (for example, reseeding or replanting streambanks to correct erosion after an exercise, maintaining erosion control structures, creating a stream habitat to make up for a degraded stream habitat).

new systems
Items purchased by the Army that contain ozone-depleting substances (for example, refrigerators, air conditioners, combat vehicles, and portable and fixed fire-suppression systems).

non-PCB transformer
A transformer that contains less than 50 parts per million (ppm) polychlorinated biphenyl (PCB).

ozone-depleting potential
The relative capacity of a substance by unit weight for destroying the earth's stratospheric ozone layer. The ozone-depleting potential is compared with CFC-11, CFC-12, and CFC-114, each having been assigned an ozone-depleting potential of 1.0.

ozone-depleting substances
The chemical substances listed on DD Form 2530 (Chlorofluorocarbons (CFCs) and Halon Annual Report) (RCS DD-P&L(A) 1804). These substances have been linked to the depletion of the earth's stratospheric ozone layer.

PCB article
A manufactured article, other than a polychlorinated biphenyl (PCB) container, that contains PCBs and the surface of which has been in direct contact with PCB.

PCB article container
A package, can, bottle, bag, barrel, drum, or other device that contains polychlorinated biphenyls (PCBs) or PCB articles.

PCB-contaminated electrical equipment
Electrical equipment that contains polychlorinated biphenyl (PCB) concentrations of 50 or more parts per million (incl transformers, capacitors, circuit breakers, reclosers, voltage regulators, switches, electromotors, and cables).

PCB equipment
A manufactured item, other than polychlorinated biphenyl (PCB) container or PCB-article container, that contains a PCB article or other PCB equipment. Examples include microwave ovens, electronic equipment, fluorescent light ballasts and fixtures.

PCB-free item
An article, article container, or equipment containing no polychlorinated biphenyls (PCBs).

PCB item
A polychlorinated biphenyl (PCB) article, PCB-article container, PCB container, or PCB equipment that contains or is in contact with a PCB concentration of 50 or more parts per million.

PCB transformers
A transformer that contains 500 or more parts per million polychlorinated biphenyl (PCB).

petroleum, oils, and lubricants
Includes petroleum and petroleum-based products comprised of a complex hydrocarbon blend derived from the refinement of crude oil. Motor oils, residual fuel oils, lubricants, petroleum solvents, and used (waste) oils are examples of petroleum, oils, and lubricants.

prevention
Taking action to prevent the discharge of contaminants into groundwater, surface waters, or soil.

record of environmental consideration
A document that briefly describes a proposed action or project and its anticipated times, identifies the proponent, and identifies whether or not more environmental analyses are necessary.

remediation
Physical removal (pumping, excavation) of contamination from the ground to prevent or minimize the release of hazardous substances to keep them from migrating or causing substantial danger to human health or the environment.

suspected contaminated sites
Sites where knowledge of activities at the site, historical information, or inadequately recorded spill incidents support a reasonable suspicion that there is contamination from U.S. Army activities.

underground storage tank
One or a combination of tanks (incl underground pipes connected to them) used to contain an accumulation of regulated substances, the volume of which (incl the volume of the underground pipes connected to them) is 10 percent or more beneath the surface of the ground.

usage
The Army's annual calendar-year demand for ozone-depleting substances. It consists of quantities procured through the integrated materiel manager, local purchases, new systems, maintenance activities, and quantities obtained by recycling.